DOCUMENT RESUME

ED 138 671 UD 016 885

AUTHOR	McGee, Leo, Ed.; Boone, Robert, Ed.
TITLE	The Black Rural Landowner: Endangered Species, Social, Political and Economic Implications.
INSTITUTION	Tennessee State Univ., Nashville.
PUB DATE	76
NOTE	177p.; For a related document see UD 016 975; Proceedings of the National Rural Landowners Conference (Nashville, Tenn., 1976)
EDRS PRICE	MF-$0.83 HC-$10.03 Plus Postage.
DESCRIPTORS	Black Leadership; Black Role; *Blacks; *Discriminatory Legislation; *Economic Factors; Historical Reviews; Land Acquisition; Landlords; Land Settlement; *Land Use; Political Issues; *Political Power; Real Estate Occupations; Rural Resettlement; *Social Factors; Southern States
IDENTIFIERS	*Landownership

ABSTRACT

This publication discusses the issue of black owned rural land decline. Since the turn of the century, it is estimated that blacks have lost in excess of 9,000,000 acres of rural land. The impact of this loss is tremendous for blacks, both on the economic and psychological levels. Developing strategies to arrest the rapid decline of black owned rural real estate is a high priority on the agenda of concern of the black community. It is noted that landownership is important because it provides an economic base for socio-psychological release and/or identification. In a capitalistic society, landownership is linked with permanence and political power. Black land capable of being usefully developed or converted into capital, constitutes an immensely valuable political resource. If used correctly, a black land base could be critical to the political base in the black community. The absence of such a base can have a crippling effect on the mobilization potential of the black community in the political process. Among the various, social, political, and economic implications of black rural land loss which are discussed in this publication are: (1) the Emergency Land Fund, (2) attitudes of blacks toward rural land, (3) institutional procedures for resolving tax delinquency in the south, and (4) a case study of black rural land loss in Tennessee. (Author/AM)

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THE BLACK RURAL LANDOWNER: ENDANGERED SPECIES

SOCIAL, POLITICAL AND ECONOMIC IMPLICATIONS

Editors

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UD016885

PROCEEDINGS

NATIONAL RURAL LANDOWNERS CONFERENCE
Division of Extension and Continuing Education
Tennessee State University
Nashville, Tennessee

1976

U.S. DEPARTMENT OF HEALTH, EDUCATION & WELFARE
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FORWARD

Throughout the history of the historically black university, efforts have been made to meet the needs of a wide range of individuals and constituent groups, i.e., the thousands of students who have flooded the institutions to quench their thirst for knowledge; the urban communities that have sought assistance in the identification and clarification of community problems; and the rural dwellers who have welcomed assistance in the areas of crop production, health care and general improvement of the quality of life in rural areas. Efforts today should be no less intense than they have been in past years.

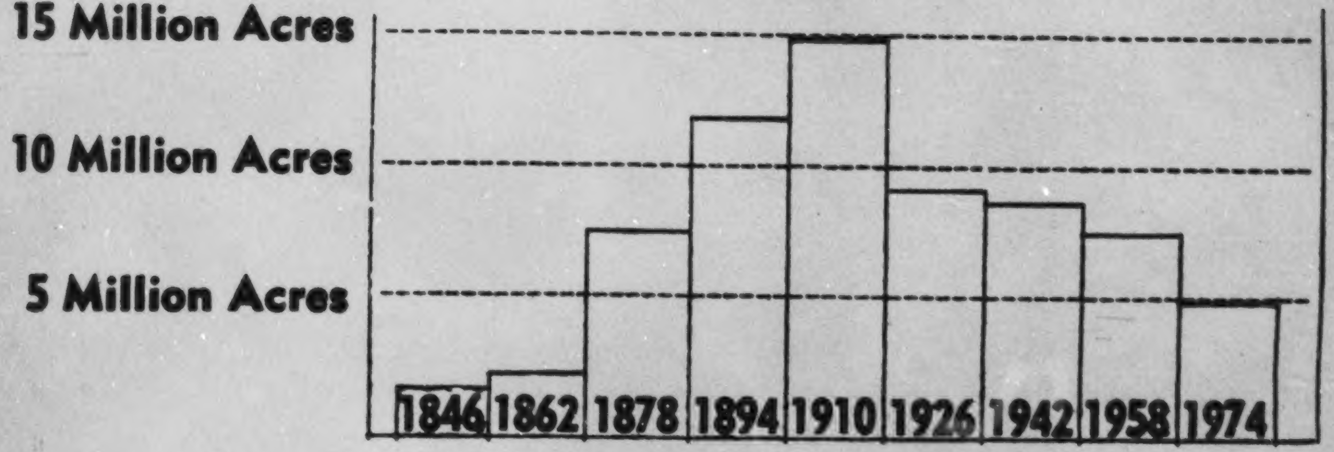
Since the turn of the century, it is estimated that blacks have lost in excess of 9,000,000 acres of rural land. The economic impact of this great lost is incomprehensible to many Americans. It is reported that in the South land constitutes possibly the largest equity base under black control. The five to six million rural acres presently owned by blacks, primarily in the South, are valued at approximately $750,000,000--representing an enormous accumulative savings.

The impact of rural landownership by blacks transcends the actual monetary value of the land itself. Ownership of land positively affects one's psychological state, which may be more important particularly at a time when blacks are attempting to show greater signs of security and independence in determining their own destiny.

Developing strategies to arrest the rapid decline of black owned rural real estate has been a high priority on the agenda of concerns of the black community. This issue is of particular concern to the historically black university and should also be of serious concern to all Americans. It is hoped that this publication will bring national attention to the crucial issue of "Black Rural Land Decline."

Frederick S. Humphries
President
Tennessee State University
Nashville, Tennessee

DECLINE In Black Rural Landownership



THIS TABLE GIVES A PERSPECTIVE ON BOTH THE RATE AT WHICH BLACKS ACCUMULATED AND ARE LOOSING RURAL ACREAGE

Rural Life Long Learning Research Project

Leo McGee, Principal Investigator

Robert Boone, Associate Investigator

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Chapter I

THE MOBILE BLACK FAMILY: SOCIOLOGICAL IMPLICATIONS

by

Frank G. Pogue*

Migration

Case One

Mr. and Mrs. X, natives of Orville, Alabama and former share croppers, were parents of eight children--five boys and three girls. Like many black families, they were lucky enough to have had parents that had, through whatever source, inherited property. Mr. X had inherited/purchased some 80 acres and Mrs. X had inherited some 34 acres in rural Alabama. During their marriage they accumulated an additional 15 acres, constructed two homes, accumulated cattle, horses, pigs, etc. Approximately 10 acres were used yearly as farm land and much of the rest housed prized timber.

By most measures the X family was stable and secure. They were "God fearing," church going people.

---

* Dr. Frank G. Pogue, Professor and Chairman, Department of African/Afro-American Studies, State University of New York, Albany, New York.

As the family matured something began happening--as the children reached 18 or 20 years old they moved from the South to several large urban northern and eastern cities. One moved to New York City; one to Chicago, Illinois; three to Cleveland, Ohio; one to San Francisco, California; and, two moved to Detroit, Michigan. All are married and have families of their own.

Mr. X died in 1972, leaving all possessions to his wife. Mrs. X, who was unable to maintain the farm and residual properties made several unsuccessful attempts to convince her sons to return to Orville to make use of the facilities. When that failed she tried to attract her daughters. Both efforts failed.

Mrs. X died in 1974, leaving equal shares of the land and its contents to their eight children. Within a short period of time all 139 acres were sold to a large electrical company. The timber has been cut and trucked away, leaving miles of bare and corrosive spots. A large electrical outlet (station) occupies a vast portion. Another large portion has been converted into a "Restricted-Posted" area for hunting and fishing for customers/supporters of the industry.

This land is gone.

Case Two

Mr. and Mrs. Y, of rural Louisiana were owners of 86 acres of timber land, and parents of six children, all of whom are married with families of their own.

Unlike the children of Mr. and Mrs. X (discussed above), all of the children of Mr. and Mrs. Y had not moved to urban areas; four of the six were still living in the rural area.

Following the death of Mrs. Y, and inasmuch as he was approaching 80 years, Mr. Y moved from the farm to live with the oldest son. The farm deteriorated fast.

After two years of urban living Mr. Y died, leaving everything to his children. The land (property) was divided equally, each child receiving approximately 14 acres.

One by one the four children that remained in the rural sold their land, left their homes, and moved to urban areas. The two children who already lived in large urban areas sold their land also.

The land is owned presently by several small and middle-sized industries that have themselves moved from urban to rural areas. The land has been raped of its serenity.

This land is gone.

Case Three

Mr. and Mrs. Z of rural South Carolina, were parents of eleven children--six girls and five boys. They were pillars of their rural town; church going and the high school named after the family.

Over a period of 20 years, ten of their children married and moved to large urban areas. Four of the children are divorced. Mr. Z was killed in an automobile accident, leaving over 80 acres of land to Mrs. Z.

Mrs. Z's youngest son lives and works in Cleveland, Ohio. She has tried several times to attract him back to the rural South. Since it seems hopeless, she is thinking of selling all of her land, etc., and moving to Cleveland, where several of her children are.

This land is not gone but unless Mrs. Z discovers its importance, it will be sold.

Without doubt, these stories and countless like them, can be told and understood by everyone. In fact, thousands of urban dwellers know personally of examples that would describe even more vividly black movement to central cities in the North, East, West (as well as to urban southern cities), and the socio-economic and psychological underpendings as such affect the fibre of the black family. Not all who moved owned land, but most who moved could associate personal sweat and hardship with someone elses' land. After all, blacks were systematically dropped from Africa and rigidly placed into close association with land in the "new world."

A report released by McGee and Boone revealed that the South's former slaves amassed an estimated 15 million acres of land in the United States by 1910, and that the figure is now five million acres.[1] This rate of land exchange suggest that by year 2000 black rural landownership will be nonexistent.

That physical mobility is itself disruptive and has been the topic of many scholars.[2] The migration of blacks out of the rural South took on the aspect of a mass movement about the year 1914, a time when the migration of black cityward, largely northward became one of the most significant events in the history of black Americans in the twentieth century.[3] The movement was so noticeable that at least one group observed:

> They're leaving Memphis in Droves,
> Some are coming on the passenger,
> Some are coming on the freight,
> Others will be found walking,
> For none have time to wait.[4]

The years preceding World War I and the period leading and through World War II saw a mass exodus of overwhelming proportions black Americans from rural to urban centers and from the South to the North and West. A people who in 1900 were 77 percent rural, in half a century became over 65 percent urban.[5] Although recent mobility trends for 1965 and 1975 show a marked slow down, it is revealing to note that the South lost only one percent of its black population from 1965 to 1975. Presently, 53 percent of the black population is in the South; 39 percent is in the North; 19 percent is in the northeast; 20 percent is in north central states; and, nine percent is in western states.[6] According to 1974 data, only 88 percent of the black population can be identified as "nonmetropolitan dwellers," a change from 10.3 percent in 1960, and 9.1 percent in 1970.[7]

The declining black farm population in the South and Southeast is accompanied by a continuing heavy migration of black youths to urban centers. This necessity is shown by the fact that there are nearly three times as many youths in the 10-14 age group as there are in the 20-24 age categories, and there are considerably more than three times as many in the 15-19 age class as there are in the 25-29 age group.[8] Assuredly, there are not enough job opportunities on farms to absorb the maturing black youth population. Families cannot be sustained without work.

It is comforting to note that after three decades of a predominantly one-way migration stream-outmigration from the South to the North and West; a new pattern of black migration appears to be emerging in the 1970's. There is some evidence that during the four-year period 1970-74, the volume of black outmigration from the South declined and, at the same time, the number moving to the South increased. In fact, during the four-year period the number of blacks four years old and over moving to the South closely approximated the number moving from the South--276,000 immirgants versus 241,000 outmigrants.[9]

This reverse migration however has not revealed significant moves to the rural South--especially to rural farm, although it does mean that a larger number of blacks are realizing that there have been significant changes in the

South which provide greater opportunities than before slavery, Jim Crow, and the lynching periods. That this reverse migration has caught the imagination of some was illustrated in the "made for television" portrayal of a black family returning to the South. Tyson, Hooks and their children revealed ingrained fears of what this "return to southern roots" meant for a large segment of black urban dwellers.

Reverse migration, however, shows that this tendency to "return South" is directly related to socio-economic factors. The average low income black family is not yet returning; instead, they account for more than 74 percent of the blacks who migrated North or West during the period 1970-1974. Over 65 percent of the 276,000 blacks who did return were educated (had some college training, had completed the Bachelor's Degree, had either finished a graduate degree or working on it) or skilled. They returned to enter professional careers, politics, business, etc. While they have not purchased large quantities of rural farm land they do purchase homes or residual properties. Clearly, the socio-political and racist factors that gave rise to black migration have not changed significantly for low-income, uneducated or unskilled black families.

How can this trend for low-income Southern blacks be reversed and at the same time make urban blacks recognize increasing signs of institutional racism? One obvious strategy must be to continue destroying the myths associated with physical mobility and success. Hopefully, such observations and demonstrations will identify these myths and cause the average black family to reassess the promise of "greater opportunities in the North, East and West."

What black families found "at the end of the rainbow" was not "gold." What they learned was to be black in Mississippi, Georgia, Alabama, Tennessee, etc., was to be black in New York, Chicago, Detroit, San Francisco, etc. The key unit of analysis is blackness. The geography makes little difference.

Denied a decent livelihood and recourse to the law, the black family was further intimidated by the near impunity allowed lynch mobs. Their main defense and protest against lynching, against the wage differentials, and against the many frustrations of life, black families in the South were to move North.[10]

As was true then, it remains true today, that the North is "no land of milk and honey with dollars growing on trees."[11]

Criminal Justice

Black families have been met with oppressive experiences of the criminal justice system--imprisonment, police brutality. They are also victims of crime. Blacks in United States prisons, for example, are vastly overrepresented.

Although blacks consistently comprise a smaller percentage of the states' population, they remain disporportionally overrepresented in state prisons. In fact, correctional institutions, unlike any other societal institution, house the greatest representation of blacks. Note for example, although blacks compose only 7.5 percent of the total population in California, nearly 62.0 percent of California's inmates are black; they compose 10.7 percent of the population in New Jersey, yet 93.0 percent of the inmate population are black; they compose 17.7 percent of the State of Maryland, yet 74.0 percent are black; they compose 12.8 percent of the population of New York State, yet 74.0 percent are black.

PRISON POPULATIONS FOR SELECTED STATES-FEDERAL PRISON SYSTEMS IN THE UNITED STATES 1975-76

STATES	% OF TOTAL BLACK POPULATION IN STATE	TOTAL PRISON POPULATIONS	% OF BLACK INMATES
California	7.5	24,780	62.0
Florida	15.1	15,709	52.0
Georgia	26.2	11,067	60.0
Illinois	13.5	8,110	55.0
Louisiana	29.7	4,774	63.0
Maryland	17.7	6,606	74.0
Michigan	11.7	10,882	54.0
New Jersey	10.7	5,277	93.0

PRISON POPULATIONS (Continued)

STATES	% OF TOTAL BLACK POPULATION IN STATE	TOTAL PRISON POPULATIONS	% OF BLACK INMATES
New York	12.8	16,056	74.0
Ohio	9.4	11,451	47.0
Pennsylvania	8.8	7,054	56.0
South Carolina	30.3	6,100	57.0
Texas	12.6	10,936	44.0
Virginia	18.4	6,092	64.0
Washington, D. C.	81.1	1,538	90.0

SOURCE: Clovis White, "Comparison of Black Inmate Population for Selected States in the Northeastern, Southern and Western Sections of the United States," Department of African/Afro-American Studies, SUNY-Albany, 1976.

Black families are being negatively affected because young men and women are locked behind bars for the duration of their most reproductive years. While imprisonment removes one from the competitive process it also renders survival techniques and strategies ineffective. Clearly then, one of the most effective ways of successfully effecting genocide is to systematically lock young blacks behind prison walls for the duration of their most reproductive years.

The following table demonstrates the age disparity for the State of New York.

NEW YORK STATE PRISON POPULATION
BY AGE, RACE (1975)

		RACE:	
TOTAL POPULATION	**AGE**	**BLACK**	**WHITE**
14,075	16 - 18	1,130	487
	19 - 20	1,205	406
	21 - 24	2,679	820
	25 - 29	2,273	817
	30 - 34	1,339	491
	35 and over	1,665	763
		10,291	3,784

Over 77.0 percent of the black inmate population in New York falls between the ages of 16-34. These data reveal the negative consequences for the structure of black family (i.e., families are married before the prison experience, but such unions often end with divorce; children are often left with female heads who suffer the same discrimination faced by black males; black families often seek welfare because the male is imprisoned; black children are left without fathers and often face adoption agencies; black men, while in prison, often undergo illegal human experimentations that affect their minds and spirit, etc.).

Rural black families must know that urban black families are more likely to be exposed to and engage in the use of drugs. Just as prisons take our young, just as educational institutions fail to educate our young, just as unemployment is rampant among our young; so too are our young being exposed, at an earlier age, to detrimental drugs.

For 1970 data revealed that of a sample of 422 heroin addicts in New York State, 45 percent were black; 30 percent were Puerto Rican; and 25 percent were white;[12] in Atlanta, Georgia, out of a sample of 118 herion users, 59 percent were black and 41 percent were white;[13] a sample of 405 opium users in Los Angeles, California revealed that 51 percent were black and 43 percent were white.[14]

A sample of 200 multi-drug users in New York City revealed that 36 percent were black; 39 percent were Puerto Rican, and 24 percent were white;[15] another sample of heroin users in New York City revealed that 63 percent were black and 22 percent were Puerto Rican.[16]

In Washington, D. C., from a sample of 3,175 heroin addicts, 95 percent were black;[17] from a sample of 2,798 heroin addicts in New Jersey, 43 percent were black, 52 percent were white and five percent were Hispanic.[18]

As the heroin user is pulled deeper into the addiction system, and as he needs more and more heroin to maintain his habit, and as he needs to begin to steal or to engage in sex for money, the initial glamor fades--normal family life, as he knew it is disrupted completely. He is likely to become known to the police as a thief and a heroin addict; he will probably lose his job and experience rejection by his family and non-using friends. Life becomes a rate race as the addict engages in the day-in, day-out 24-hour struggle to maintain his habit.[19] Heroin use then becomes extremely dysfunctional for the black family.

Employment and Education

Black families have been met with unemployment and underemployment as well as systematic exclusion from the employment process. Blacks, even during periods of relative national prosperity, have historically borne a disproportionate burden on joblessness. While there is just reason for alarm at the current high unemployment rate for the nation, which is about 7.5 percent, black joblessness has ranged over eight percent for more than six years (see following table).

BLACK UNEMPLOYMENT IN THE UNITED STATES 1970-1976 (Annual Percentages: National)

Unemployment Rate

YEAR	BLACK	WHITE
1970	8.2	4.5
1971	9.9	5.4
1972	10.0	5.0
1973	8.9	4.3
1974	9.9	5.0
1975	10.9	6.8
1976	14.3	7.5

SOURCE: U. S. Department of Labor, Bureau of Labor Statistics.

In 1975 and 1976, black unemployment for some specific areas was generally over 14 percent and as high as 50 percent in many low income communities. If current trends continue, a large segment of our black youth--about half--will be unemployed over the next five years and will constitute a permanent "workless" class.

In 1970, there were over four million persons unemployed in the United States. This represented 4.9 percent of the total employable population. Of the total number unemployed, 752,000 were black. This was a ratio of 8.2 percent for the black unemployable population.[20]

In April, the ratio of unemployment for all workers was 5.7 percent. It was 5.4 percent for white workers and 9.9 percent for blacks, a differential deficit ratio of 77 percent for black Americans as compared to white Americans.

Correlated closely with the high rate of unemployment is the distribution of those annually employed by types of occupations (underemployment). In June 1967, 45.5 percent of all black employers as compared with 15.1 percent of whites were occupied in the lower paying jobs, such as private household workers, service workers, and laborers, and only 10.2 percent of blacks were employed as professionals, managers or proprietors as compared to 28.4 percent of the white population.[21]

Despite proclamations by the Ford administration that the recession is ending 20 million workers will experience unemployment during the course of this year. And today, 30 years after the enactment of the 1946 Employment Act to deal with unemployment, the Government's commitment to full employment is still at the discussion stage--perhaps because this is election year, in which administrative officials engage in an unsensitive debate about "acceptable levels" of unemployment and cite joblessness rates (7.5 percent for whites and 14.0 percent for blacks) as "tolerable."

Black families are also negatively affected by income disparities, especially during a period of inflation.

In 1973, the median income for white families was $12,345, while for the black family it was $8,815 or a deficit of $3,530.[22] Blacks have the lowest income of all minority groups in the United States.

It should be observed that 70 percent of all white families were in the income level of $8,000 per year and above as compared to 42.0 percent of black families. Also, nearly 50.0 percent of all white families were in the income category of $10,000 and above as compared to 22.0 percent of black families, and 21.0 percent of all white families were in the $15,000 and above category as compared to 7.2 percent of black families.[23]

The geographic interruption of family life was also justified by associating such moves with greater access to educational opportunities. Black families, interested in educational and occupational mobility for their children moved swiftly to seek similar advantages that had become realities for the typical white urban American, including more recent ethnic arrivals. The "separate but equal" educational system, the Law of the South, coupled with constant external negative influences did little to encourage immobility and stability.

Black families learned early that one of the most effective ways to crystalize and legitimate segregation and discrimination was to deny access to quality education.

Such denial leads to an inability to perform normatively in competitive situations. That this was true is revealed in Ashmore's 1952 study of The Negro and the Schools. Ashmore found noticeable discrepancies between the amount of money spent for the education of black and white children in southern states. An average of $164.83 for the education of one white pupil, compared with $115.08 or 70 percent of that amount, for the education of each black child.[24] The amount of money spent per black pupil varied anywhere from 30 percent of what was spent per white pupil in Mississippi to 85 percent in North Carolina. In the same year the capital outlay per pupil for black schools in southern states was $29.58 or 82 percent of the $36.25 per white pupil.[25] The simple fact is that racism was so pronounced, blacks were systematically denied equal access to educational self-enhancement, producing negative self images for millions of black children. Such negative images were reinforced by high black absenteeism from school, poor teaching, and inadequate library holdings.

Even the most casual observer can note that the dream of educational enhancement is not yet realized. Instead of the anticipated inclusion, blacks are still systematically excluded from the educational process. Mobility and its positive consequences work slower for blacks.

After struggling for years to demand decent public education, blacks have found that "public education" in this country is in serious trouble, particularly in the central cities where they left the rural-urban South to achieve. In a speech to the South Carolina Education Association in Columbia, James A. Harris, then President of the National Education Association, painted a threatening picture with these facts:

1. There are nearly two million school-aged children who are not enrolled in school. Most live in large cities.
2. Of the students who are attending classes, more of them will spend some portion of their lives in correctional institutions of higher learning.
3. On any given school day, you will find 13,000 kids of school-age in correctional institutions and another 100,000 in jail or police lockups.
4. Of every 100 students attending school across the nation, 23 drop out, 77 graduate from high school, 43 enter college, 21 receive a B.A., six earn an M.A., and one earns a Ph.D.
5. Crime and violence in central city schools are growing in unprecedented rates.
6. Many states now spend more money to incarcerate a child than to provide him with an education. In Iowa, for example, the State will pay $9,000 a year to maintain a student in a juvenile home, but only $1,050 a year for an ordinary student.

These findings are significantly worse for blacks.

In short then, black families are finding that schooling (public schooling) in large metropolitan areas where they terminated migration is not working. In fact, it is failing miserably. Instead of black inclusion, blacks are overwhelmingly excluded from the educational process. These observations can be considered factors giving rise to the slow down of migration from the rural-urban South.

Home Ownership

Black families have also discovered that the probability of owning their own home is less likely in large urban centers. In 1973, about seven million housing units were occupied by black households and approximately 62.4 million by white households. About 43 percent of black households lived in homes they owned or were buying, a smaller proportion than the comparable figure of 67 percent of white households.[26]

Owner occupancy rates for black households tended to vary by region. For blacks in the northeast, only about three out of 10 households were buying or own their home; in the South, the comparable proportion was about five out of ten.[27]

This is, in large measure, due to the increased cost of housing in the urban and northern communities, accompanied by a greater demand for adequacy. It does not, as Billingsly so ampty notes, suggest that southern black families are better housed than their northern counterpart, although it may suggest a greater investment and a sense of belonging on the part of southern home-owning black families.[28]

Medical Health Care

Although they need so much more medical/health care than whites, black families, as the late Whitney Young observed, get so much less.[29]

That black families are getting much less medical/health care is illustrated by physician and dentist visits for 1973.[30] Blacks were less likely than whites to have visited a physician or dentist: 70 percent of the black population made at least one visit to a physician; only one-third made a visit to a dentist. Furthermore, black persons with lower family incomes were less likely to have received more in a clinic than blacks with higher family income.[31]

It is also significant to note that life expectancy for blacks continued to be lower than for whites. Among blacks, the average life expectancy at birth in 1973 was 61.9 years for males and 70.1 for females; corresponding figures for whites were 68.4 and 76.1.[32]

Family Structure

Black mobile families show greater signs of marital instability than the less mobile. While this is true it should in no way be interpreted negatively. The black family is stable; approximately 61 percent of the estimated 5.5 million black families for 1975 had both spouses present.[33]

Although the black family is stable it should be observed that the proportion of black families headed by a woman (with no spouse present) climbed from 28 percent in 1970 to 35 percent in 1975 and seems to be leveling off.[34]

From the beginning of the decade to 1974, the number of black women were heads of their own families increased by one-half million, or 37 percent.[35] Some explanations given include: (1) increasing divorce and separation rates; (2) the retention of children by unwed mothers, greater economic independence; and (3) the availability of public assistance. To this list must be added the existence of employment discrimination directed at black men and women--especially black men, that result in their inability to support black families.

These and other conditions force one to ask how has the black family survived. We have pointed out quite clearly that the educational, political, economic, criminal justice systems have failed (still failing) to meet the needs of the black family.

For sure geographical nor social mobility have successfully interferred with black family informal or formal ties. Regardless of movements, the black family networks have not been disrupted. All one has to do is observe automobile and air traffic to demonstrate that movement has not disrupted informal relationships and ties. The traffic bringing blacks from Detroit, Cleveland, Chicago and points North and from Los Angeles, San Francisco and points West all represent continued and lasting family stability.

One should also note that fewer and fewer relatives are returning North, East, West with these occasional seasonal visitors. Instead, larger numbers are remaining in rural non-farm areas.

Summary

Landownership then, becomes important because it provides an economic base for socio-psychological release and/or identification even for blacks who have migrated. Land serves as an economic and psychological link for the many blacks who are locked behind jail and prison walls; for those who, because of their blackness, are daily brutalized by police; for those who are victims of drugs and alcohol; for those who are consistently denied access to adequate/quality health care services; for those who are overrepresented among the unemployed and underemployed; for those who are denied equal access to educational opportunities; and for those who are forced to live in rat infested houses and sub-standard housing.

Ownership of land in a capitalistic society implies permanence and political power. The land itself is permanent--something that can be passed on from one generation to the next, representing economic stability for black families.

While the legal and political aspects of land ownership must be of central concern, it is also important to present those institutional failures that have been allowed to exist which may often account for the misconceptions blacks have of the promises of mobility.

FOOTNOTES

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[22] *Statistical Abstracts*, op. cit., 1974, p. 137.

[23] Ibid.

[24] Harry S. Ashmore, *The Negro and the Schools* (Chapel Hill, North Carolina: The University of North Carolina Press, 1954), p. 153.

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[27] Ibid., see also United States Department of Commerce, *Social and Economic Status of Negroes in the United States*, 1970, pp. 441-442; Andrew Billingsley, *Black Families in White America*, op. cit., pp. 99-93; 184-185; Karl E. Taeuber and Alma F. Taeuber, *Negroes in Cities* (Chicago: Aldive Publishing Company, 1965), p. 36.

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[35] *Current Population Report Series*, p. 23, No. 50, "Female Family Heads," pp. 1 & 2.

Chapter II

RURAL ACREAGE IN PROMISE LAND TENNESSEE: A CASE STUDY

by

Charles Nesbitt*

Demography

Promise Land, Tennessee does exist. It has existed since 1870 as basically an all black community. The four families, consisting of no more than a dozen people who still reside there, have maintained an atmosphere of "community" for the more than 500 individuals who have left.

Promise Land, Tennessee 1881-1976: Although land in the area was owned by black families prior to 1800 the name wasn't given to the area until 1881.

Location: Northern section of Dickson County, Districts #6 and 15; Plat #s 46, 47, 56 and 57.[1]

County seat of Government: Charlotte, located two and one-half miles South; Larger Municipality-Dickson, population 21,000 located ten miles to the South.

Population: 500 plus at the height of the communities growth, 1900-1935. Presently only four families consisting of eight adults live in Promise Land.

Land Base: In days past, well over 1,000 acres of farm and timber land, mostly with natural springs, made up the area. Presently the four remaining families own approximately 20 acres, with some 50 or 60 acres still deeded to absentee owners. Most of the land in the latter category is heir property that is unkept with a good amount in constant jeopardy of public auction due to deliquent taxes.

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Education: A public school was operated by the County from 1918-1956. (School was organized and staffed by learned volunteers 30 years prior to the County's financial support). At its height, the school enrolled over 60 students and employed two teachers for grades 1-8.[2]

Religious Institutions: Three Christian church denominations once held services in two buildings including the African Methodist Episcopal (AME), the Missionary Baptist, and United Methodist. The United Methodist Church still operates on a once per month basis in conjunction with other communities close by.

Early History 1870-1900

According to records as kept by the Registrar of Deeds, in the Dickson County Courthouse, Charlotte, Tennessee, the earliest purchase of land was consumated in 1870.[3] Thus in a few short years following the Civil War, blacks realized the value of landownership as exemplified in this purchase. The 14 acres, more or less, that Mr. Washington Vanleer purchased cost $140.00 This amount, although small by today's standards, represented a rather large mortgage for a black man five years out of slavery. It becomes even more significant when viewed in conjunction with similar purchases at that time in history by whites for substantially less capital.

Many discrepancies existed among deeds where whites sold to whites. All deeds were, of course, handwritten in those days with the term "colored" inserted in parenthesis to differentiate between white and black transactors.

Black land purchases remained at a standstill in the area until 1800 when two brothers made substantial purchases of 58 and 25 acres, more or less, in District No. 6. From this time until the middle and late 1920's blacks either purchased or were deeded property in the area that totaled well into several hundred acres. The Nesbitt brothers alone owned tracts that totaled over 150 acres. The Deed Books of Dickson County showed that black landownership was of paramount importance to the black men and women of the area.

As one might suspect, where the zeal to acquire property existed to such a strong extent other attributes of citizenship could be likely found. In his work titled, The Negro in Tennessee, 1865-1880, Alrutheus A. Taylor noted that blacks petitioned the first State convention held after the War in 1865, for an amendment reflecting their citizenship rights.[4] While it must not be hinted that blacks in Tennessee had an easy time, by any means, toward the realization of "full rights" as citizens in those restructuring years following the Civil War, some given realities helped in the process. First, free blacks from the outset pressed issues of freedom in all its forms for former slaves resulting in several bills being argued in their behalf at the State level of government. Second, the first governor elected after the War, although a strong believer in slavery, was even more a loyal Unionist. William G. Brownlow accepted full emancipation of slaves as a matter of national policy despite his antipathy toward blacks.

His two great aims were to restore the State to the Union under the control of extreme loyalists and to humiliate those whom he considered traitors.[5] In order to accomplish these purposes, he was fully prepared to utilize extreme measures. Thus his first message to legislature was for ratification of the proposed Thirteenth Amendment to the Federal Constitution. He said in part, "Our state has already shown her hand, and placed herself square upon the record; and I flatter myself that her representatives here assembled are ready for a measure which shall forever exclude slavery from the United States." The amendment was unanimously ratified; an act which quite possibly paved the way for favorable legislation regarding citizenship rights for blacks much sooner than could have otherwise been expected.

Regardless of the reasons or motives that drove legislative and executive loyalist in government; the Freedmen Bureau representatives; Anti-Slavery Societies; and religious groups were encouraged to push for freedom for black citizens in middle Tennessee--the results proved worthy. Blacks continually gained the courage necessary to speak and act on behalf of their own rights as citizens. Such relentless efforts no doubt eased the burdens of living in rural Dickson County for the few blacks of those early post War years of readjustment. Influential whites had to change from the aristocratic methods of antebellum politics to unionization. Poor whites were forced into a new role of recognition of the black man. The long range result of the latter was Jim Crow laws and KKK. However, blacks received some of the attributes of citizenship that included the ownership of property. Although such sustaining rights as the franchise, and to have black testimony used in courts of law against whites were longer in coming. And while their land purchases were valid only when witnessed by white men, middle Tennessee blacks bought land as a first priority of citizenship whenever possible. In Dickson County in general and Districts No. 6 and 16 particularly black people were settling via land purchases and heir transactions in "the Promised Land."

According to black verbal historians, the name "Promise Land" was given to the area in 1881 by a black man by the name of John Nesbitt. The story goes that two brothers, John and Arch Nesbitt, were allowed to purchase land in the area due to their service in the Union Army.

They were so elated that upon a survey of their property they called it "The Promised Land from the Federal Government." The name immediately stuck and was proudly acclaimed as the fulfilled promise of the Union. At this point in time, very few blacks had ventured to settle in the area. Population figures for Dickson County have not been found that list nonwhite citizens. However, some inferences can be gleaned from the fact that 2,201 slaves were recorded in the County's population figures for the year 1860.[6] If only 2,000 blacks were living in all of Dickson County during slavery, an area of 486 square miles, their tendency not to settle there in years immediately following Emancipation is understandable.

The spurt of black settlement in Promise Land was primarily due to the following reasons: First, the area had established residents in the property owners mentioned earlier, (a) Vanleer, 14 acres purchased in 1870, (b) Bowen, 10 acres purchased in 1875, and (c) Nesbitt Brothers, 58 and 25 acres purchased in 1881. Second, the Nesbitts gave legitimacy in a sense to the area by adding the name and calling for the establishment of religious and educational institutions. Third, and perhaps most important, the State had begun plans to build a major roadway to connect Nashville and Clarksville which would cut directly through the area.[7] A final reason for steady growth in the Promise Land area was the location of Cumberland Furnance, a thriving iron mining town only several miles North. Black men found a ready work site in this operation and could work there and raise a very decent crop of tobacco or garden products at the same time with family labor.

Black families from all of the surrounding counties flocked together with poor whites toward Cumberland Furnance and Dickson primarily to seek employment in the iron mines of both locations. With the community of Promise Land sitting at the mid-point between both towns, and given the fact that black landownership had been established, their interest in putting down roots in the area can be understood.

Because the population data on Promise Land is so sketchy, it is difficult to chart the growth of the area. However, it can be proven that from 1881 to 1920 black landownership increased from two families owning some 80 acres to over 25 different family names who owned or lived on purchased land, or heir property tracts that totaled over a 1,000 acres. Deeds to these plots are recorded in the Dickson County Courthouse in Charlotte. The different family names are authentic as per verbal testimonies given by residents and former residents of the area who range in age from 37 to 91 years.

Land Decline: 1900-1976

Perhaps the most significant set of factors that contributed directly to the sharp decline in black landownership in the Promise Land area centers around economics. Without a doubt, a vast majority of blacks left that section of Dickson County seeking employment. Other reasons were given; however, when they are analyzed they reflect a strong economic basis. The following answers have been recorded from the verbal testimonies of former property owners or their heirs when questioned as to why they or their relations left Promise Land.

To find work

To get a job in the plants

To make some money

To support my family

Because my (uncle, aunt, sister, brother etc.)
had left and asked me to follow

I couldn't farm the land without money for
tools and seed

Every answer relates directly to the need of finances in a quantity to sustain a family or an individual. While every instance of movement, primarily to the States of Ohio, Indiana and Michigan, were precipitated by a felt need to earn a better living, perhaps the best life could have been left behind with the land. While the overwhelming majority of the people left numerous acres in Dickson County behind, most own less than an acre in the industrial North.

Those black fathers who owned land could not make it productive void of the kinds of help white farmers were getting. Although Cooperative Exetnsion has provided a valuable service to white farmers since the Smith-Lever Act of the U. S. Congress in 1914, even today, many blacks don't know of, much less receive help from, a "County Agent." The various methods, techniques, and resources that are supposed to be available via Federal, State and County cooperatives, often never became reality for black farmers and homemakers of Promise Land. It is safe to say that the government, through its many agency employees, forced blacks to abandon their lands.

The various Jim Crow practices further advanced poor whites and penalized blacks to the point where abandonment proved to be the only alternative. The undesirable sale of land tracts resulted in a great many lost acres of black property. The writer terms all sales undesirable that were made due to tax difficulties, or in cases where one family member imposed their will upon others to sale, or where land was sold at a price below the market value.

It seems that in almost every instance a recognizable factor was always the large white landowner whose land was adjacent to that being sold. Such persons almost always purchase the land at public auction prices or settled with the owners prior to the court sale. These unwritten histories of three land transactions are representative of the kind of undesirable sales that transpired: (1) The white buyer bought out one of several relatives who in turn persuaded others to sale shares until controlling interest was outside the family. With most family members living elsewhere it became fairly easy to purchase the total tract. (2) To stay out of jail black landowners have mortgaged large acres of land to white businessmen and farmers. The total or parcels of large tracts were lost when the note came due and could not be made. (3) A case is known wherein an elderly woman mortgaged several prime acres to her former employer. Although on the surface this might sound like a good deal, a closer look at the facts prove otherwise. The black landowner in this case had worked as a maid for the white family for many years. After becoming terminally ill with tuberculosis her family was never able to regain full possession of the property.

These stories can be multiplied many times over to prove the fendish tricks used by so-called God fearing whites in their dealings with blacks with regard to land transactions in the rural South. Large land deals have been consumated for such things as farm tools, seed and livestock in Dickson County, Tennessee. It seems rather strange that in most cases the purchasers end up being public officials or members of their families whose land is always adjacent to that being sold or mortgaged.

The economic depression that gripped the country, beginning with the stock market crash in 1929, perhaps did more to begin the wholesale decline in black landownership than any other single event in history. The effects of this tremendous down turn in the national economy caused enormous losses to all businesses large and small. For the black Dickson County landowner already struggling to break even while trying to work for someone else and himself as well, disaster resulted. With no outside work he could hardly eat and cloth himself much less pay taxes or keep a farm together. Valuable land was sold for a pitance and once proud landowners became almost overnight "sharecroppers." This term soon became the scheme that was used to bail white farmers out of financial difficulty while at the same time returning Promise Land citizens into a kind of serfdom of which some have never emerged.

Because of unscrupulous transactions black farmers never profited no matter how hard they worked, while raising a crop with his white landlord serving as chief accountant. The cost of food, shelter, and clothing when coupled with the expenses incurred for seed, equipment, and livestock always kept the work hard and the debt high. The "only way out" for a number of people was the beginning of World War II. During this boom for industrial work in the large northern cities, black men by the thousands left the southern rural countryside for the promise of a job. Many simply abandoned their homesteads once a job and living quarters were found for their families. Almost in every case, as heads of households joined the migration North, some kind of debt was left behind.

The great dilemma seen in all that has been outlined above with regard to blacks in Promise Land is analogous to conditions that beset all black people in this country--racism. Although the circumstances may seem vastly different from those exercised elsewhere, when the end product is analyzed similar conclusions emerge.

What happened to the black people of Promise Land, Tennessee wasn't an isolated incident but has happened in a hundred locations throughout the South. Whites have been privileged to run roughshod over blacks because from the outset slaves were identified as chattel property. And so the history goes producing evidences that explain why not only were over 1,000 acres of land lost by blacks in Promise Land, but on a national scale recent research shows that blacks suffered a loss of over 9,000,000 acres of rural land.[8]

FOOTNOTES

[1] General Highway Map of Dickson County, Tennessee Department of Transportation, 1973.

[2] Minutes of Dickson County Board of Education Meetings, Office of Superintendent, Charlotte, Tennessee.

[3] Deed Book N, Register of Deeds, Couthouse Charlotte, Tennessee, 1870, p. 603.

[4] Alrutheus A. Taylor, The Negro On Tennessee, 1865-1880 (Spartanburg, South Carolina: Reprint Company, 1974), p. 2.

[5] Ibid., p. 3.

[6] Robert E. Carlew, A History of Dickson County (Tennessee Historical Commission and Dickson County Historical Society, 1956), p. 226.

[7] Ibid., pp. 38, 43, 63.

[8] Anthony Griggs, "How Blacks Lost 9,000,000 Acres of Land," Ebony, October, 1974, p. 97.

Chapter III

BLACK EQUITY BASE AND POLITICAL POWER

by

William Nelson*

Black Land As A Political Resource

The relationship between black landownership and political power is one that has received far too little attention in the analysis of the social, economic and political position of blacks in American society. A number of studies have pointed out the unique status of blacks as victims of racial and class exploitation in America.[1] The studies have generally failed to emphasize the critical importance of the landless status of black people as a pivotal aspect of white domination and control. The denial of black people of an equity base in landownership has consistently been at the heart of black economic improverishment and political powerlessness in America. In a society based on capitalism, landownership becomes an essential and unalterable prerequisite for economic development and the exercise of substantial political influence.

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The continuous insulation of blacks from those aspects of the market place wherein land can be obtained and translated into significant capital has been the sine qua non of American domestic colonialism. As James Turner has pointed out, "Without control over any significant portion of the area they occupy, not having ownership of any capital instruments or means of production, black people are not simply oppressed but are the victims of super exploitation."[2]

The exercise of substantial influence by any group in the American political process requires control over, and effective utilization of, a number of important resources; one of the most important of such resources is economic wealth.[3] Limited black control over land has deprived the black community of a major source of wealth in this country. This fact has, in turn, had a host of serious consequences for the effective mobilization of black strength in the political process. Economic dependence induced by the absence of capital producing institutions has robbed the black community of the ability to make independent political decisions. Black leaders have frequently been so reliant on outside white support until they have become virtual political hostages. Similarly, black organizational efforts have been constrained by clientage relations that require white involvement and control.[4] Under such circumstances, policy-making in the black community reflects fundamentally preferences imposed by whites on blacks by virtue of their control of the means of economic survival.

Economic dependence has also had a dampening effect on black political activism. In this respect, the issue of black landownership looms especially large. Land owning blacks who possess a certain measure of independence tend to be far more inclined toward involvement in political activities (such as voting and civil rights protests) than blacks who are landless and economically insecure.[5] Thus blacks in Holmes County, Mississippi where more than 100 independent black farm families reside, have been more deeply involved in the struggle for civil rights than any other identifiable group of black citizens in the State. Their ownership of land has conveyed to them a sense of power and personal security. Landless blacks in Mississippi lack the sense of confidence and personal stake which flows from property ownership. Consequently, they have been far less responsive to formal and informal attempts to stimulate their active involvement in the political process.

Finally, because of its dependent economic status, the black community's impact as a bargaining force in the political process has been substantially diluted. Operating in the political system from a low resource base, the black community is in a poor position to achieve a positive response to its claims from elected officials and public bureaucracies in the face of counter claims from groups possessing an abundance of economic resources. Politicians typically strive to satisfy the desires of those groups most critical to their survival in office. Without independent economic resources, the black community cannot deliver to them the money, the technical expertise, and the command over the electoral process that politicians demand as quid pro quo for their administrative intervention. Bureaucrats are equally sensitive to the delivery and resource capacity of their potential clients.[6] Blacks, being heavily dependent on public benefits, are more likely to be the objects of bureaucratic control than the chief manipulators of bureaucratic decision-making.

In sum, black land capable of being usefully developed or converted into capital, constitutes an immensely valuable political resource. If used correctly, a black land base could be critical to the political empowerment of the black community. The absence of such a base, on the other hand, can have a crippling effect on the mobilization potential of the black community in the political process.

The Failure of Black Land Reform

The organic connection between black landownership and political power finds its clearest expression in the experience of blacks in the South. Ever since their arrival in America as slaves, blacks in the South have been tied to the soil. In the main, southern blacks have worked in southern agriculture as the servants of white landowners, rather than as private farmers with substantial personal investments in rural land. The landless status of southern blacks can be traced directly to the failure of the land reform movement during reconstruction. Under legislation drafted in Congress by Representative George Washington Julian of Indiana, and Representative Thaddeus Stevens of Pennsylvania, in 1864, land confiscated or forfeited in the South was to be given to men who served in the Union army, including blacks. Applying the provisions of this act specifically to the condition of black laborers, Stevens proposed that each adult male freedman be given 40 acres so that he could establish for himself a family farm and gain a foothold in the American economy.[7] Unfortunately, these plans for the redistribution of southern lands were never carried out. Although the proposed federal legislation passed in the House of Representatives, it failed in the Senate. In the absence of federal policy undergirded by federal pressure, only limited amounts of confiscated federal property passed into black hands. One notable example of such land granted to blacks was the Sea Islands experiment in which land owned by Confederate planters in the Sea Islands--located between Savannah, Georgia and Charleston, South Carolina--was turned over to blacks in individual small plots. The only other significant experiment of this sort was the one in which several plantations formerly owned by Confederate Army officers were turned over to blacks in Davis-Bend, Mississippi near Vicksburg.[8]

The failure of the land reform movement during reconstruction left the black population largely without a land base. In some states outside the deep South, blacks did enjoy some notable success in purchasing small parcels of farm land. For example in Norfolk and Princess Ann Virginia, white planters sold land to freedmen "who rapidly became a respectable solid tax-paying class."[9] Blacks in Glouchester County, Virginia owned more than 500 acres of land in 1865. In 1880, 195 blacks in this county owned approximately 2,300 acres.[10] These examples do not represent the typical experience of blacks seeking to realize their ambitions of becoming individual farmers. Racial prejudice and the lack of money constituted insuperable obstacles to landownership for the bulk of the black population. As a substitute for landownership, most blacks became tenants or sharecroppers on plantations owned by whites. In many instances they were reduced to peonage labor, a condition that did not markedly differ from their former status under slavery.

Although data on black landownership are sketchy and incomplete, the information that is available strongly supports the proposition that blacks have never controlled more than a small percentage of the total land acreage in the South. W. E. B. DuBois estimates that blacks held three million acres in 1875, eight million in 1890, and twelve million in 1900.[11] The peak year of black landownership was 1910; in this year blacks owned an estimated fifteen million acres. Since that time, black landownership has steadily declined. It is estimated that in 1969 blacks owned less than six million acres, representing 79,000 owner-operated farms and about 17,000 tenant operated farms.[12]

Demise of Black Political Power

The underrepresentation of blacks in southern landownership is, in large measure, a reflection of the powerlessness of blacks in southern politics. The political power of southern blacks has been in a shattered and diluted state since the 1890's and the onset of the era of disfranchisement. Through the use of a number of devices including constitutional reform, the poll tax, the literacy test, the grandfather clause and the white primary, southern state governments were extraordinarily successful in stripping the black population of its voting rights. During the era of reconstruction blacks had voted in strong numbers; through the method of bloc voting, blacks had in fact succeeded in electing black politicians to a welter of local, state and national offices. Upon their ascension to power and dominance in the wake of the removal of Federal troops from the South after 1876, white officials turned against the black community with a vegenance, nullifying black voting rights through every means at their disposal. The success of the disfranchisement campaign can be readily seen in statistics which show that, for example, in New Orleans between 1896 and 1908, the black electorate was reduced from 14,000 to 408. Across the State of Louisiana, black registration dropped by 96 percent within two years after the adoption of the New Louisiana Constitution, including its disfranchisement provisions, in 1898. During this same period, black registration in Alabama had dropped to less than 3,000 (or two percent) of a black male voting age population of 181,471.[13] The most important consequence of this emasculation of black voting strength was the subordination of the black community to the white community, and the forging of patterns of economic and political dependency.

> With the full application of doctrines of white supremacy in the 1890's in the creation of the traditional system, the Negro community became the truncated off-shoot of the white community and was heavily dependent on it. Most of the business, professional, political and social activities common to organized social life took place in the white community and little or none among Negroes. Negro political life was almost nonexistent; what little did exist was con-

> trolled by whites. Negro business never developed and prospered as once hoped; it remained confined largely to small business such as grocery stores and funeral parlors; in large centers other businesses such as insurance companies developed.[14]

The greatest potential for black economic development lay in the black belt where blacks were concentrated in significant numbers, and had a long history of agricultural productivity. But it was in the black belt counties where blacks often constituted numerical majorities that efforts to deny black voting rights were most intense. Pressure for disfranchisement surfaced first and most vigorously in black belt counties in Mississippi and Alabama where blacks outnumbered whites. In the middle of the 1950's blacks continued to face an intractable white power structure intent on using every available means to keep them from rising to power through the electoral process. Blacks and whites in Fayette County Tennessee had lived a fairly peaceful existence until 1959, when the black majority began to demand voting rights. Seizing on their primary instrument of power--control over the economy including a near monopoly of landownership--whites launched a vicious campaign of retaliation and harassment. Black field hands who sought to register to vote were discharged from their jobs and kicked out of their homes on white owned land. Local merchants refused to trade with potential black voters. Insurance policies held by blacks seeking to register to vote were either cancelled or not renewed. Eventually the economic plight of blacks became so severe that a "tent city" was erected to house those who had been evicted, and a nationwide campaign for relief was launched.[15]

In Alabama, a bold attempt by the Alabama legislature was made in 1957, to block the emergence of majority rule in Macon County by redrawing the boundaries of the city of Tuskegee in such a way that 420 black voters were placed outside the city limits, leaving only 10 black voters inside the city limits. No white voters were affected by the gerrymander. Consequently, through legislative fiat, whites in Tuskegee were transformed from an electoral minority, to an overwhelming electoral majority, and black political influence in the county was dealt a fatal blow.[16] In 1961 this blatant act of political manipulation was nullified by a federal court decision declaring the 1957 gerrymander illegal.

At the same time the Tuskegee gerrymander issue was being hotly contested; blacks in Macon County were engaged in a protracted struggle to get Governor John Patterson to appoint members to the Macon County Board of Registrars so that blacks could register to vote. Fearing a total takeover of county government by the black majority, Governor Patterson resisted all attempts by blacks to get a board appointed for more than a year and a half. In the final analysis, Patterson consented to reactivate the Board only when it became clear that if he did not, the federal government would step in to register blacks under the 1960 voting rights act.

There is good reason to believe that white antipathy to black political participation in the South is based, in part, on the fear that a powerful black electorate will use its political influence to deprive the white population of its near monopoly of landownership. In Greene County Alabama efforts by the Nation of Islam to purchase 3,600 acres of farm land stirred an extraordinary emotional reaction by the indigenous white population. The clear impression left by this event is that local whites were less concerned about the religious affiliations of the Nation's members than that they were black people seeking to purchase extensive valuable real estate. More revealing, however, is the case of the quest for land in Mississippi by the Republic of New Africa (RNA).

The RNA is a black nationalist organization founded in Detroit in 1968. It has as its primary objective the building of an independent black state in a 20,000 square mile area along the Mississippi River from Memphis to New Orleans.[17] The bulk of this territory lies in the State of Mississippi. Informally, the area is known in black nationalist circles as the Kush District. In 1970 the headquarters of the RNA moved from Detroit to the Kush area (first to New

Orleans, then to Jackson) in order to begin the process of purchasing land upon which the new black state would be erected. When local whites heard of the active efforts by the RNA to establish an independent land base in Mississippi they were horrified. Yielding to local pressure the black Hinds County farmer who originally sold the land to the RNA abrogated the contract. The State then filed an injunction against the RNA prohibiting the organization from reoccupying the land site.[18]

Throughout the RNA's presence in Mississippi, the organization had encountered harassment and intimidation by the local police and the FBI. Police harassment of the RNA reached a climax on August 18, 1971, when local police and FBI officers raided the RNA headquarters at 6:30 in the morning on the pretext of looking for a black fugitive. When RNA members did not respond to orders to come out of the headquarters in 60 seconds, tear gas was fired and shots rang out. When the smoke had cleared, one police officer was dead and another policeman and an FBI agent was wounded. Eleven members of the RNA were tried and convicted on charges ranging from murder to assault. Four RNA members remain incarcerated; the others are free pending appeal of their convictions. What the experience of the RNA in Mississippi clearly demonstrates is that whites are highly intolerant of black nationalist efforts (or those of any other blacks) to peacefully establish a land base for the black community. Unquestionably, southern whites possess keen insight into the importance of land as a resource for a people struggling for economic survival and advancement.

Black Powerlessness and Black Land Decline

The absence of effective black political power in the South has a number of important implications for the problem of black land decline. First, the inability of blacks to compete in the southern political process has meant that blacks have had no influence on federal and local land policies. Federal land programs have been oriented to primarily help large farmers not small. As a consequence of this one-side emphasis, blacks, whose land is concentrated in small farms, have found it difficult to maintain viable farm operations and have been forced to sell out to white land developers. Federal programs obstensibly designed to help small, poor farmers have been woefully inadequate. Thus provisions in the 1964 Economic Opportunity Act providing financial assistance to poor farmers calling for loans rather than grants have had little effect in helping poor farmers improve their farms or stave off the omnipresent menance of bankruptcy. As Robert Browne has observed, without the grant assistance, poor farmers have not been able to satisfy legislative requirements that there be reasonable assurance of repayment.[19] The result has been that the bulk of government loans have gone to white farmers with incomes well above the poverty level.

Second, the underrepresentation of blacks in key administrative positions has encouraged collusion between public officials and private investors to swindle black people out of their land. A sizable proportion of the land lost by blacks to whites has been taken through tax sales conducted by city and county governments. These governmental bodies gain possession of the land after black tax accounts become delinquent. In many instances tax sales amount to no more than grand theft of black land. Taking advantage of the lack of knowledge and sophistication of black landowners, tax officials have often manufactured tax deliquency circumstances through unethical and illegal means. Black property owners have complained, for example, that their land has been taken despite the fact they never received a tax bill or were never given a full understanding of the status of their accounts.[20] Similar acts of official misconduct have frequently resulted in the lost of land through the partition sale and foreclosures. Almost without exception, behind the initiation of official action against black landowners designed to take away their property stands a private investor or firm waiting eagerly to buy the disputed property as soon as its title is transferred back into the public domain. If blacks were represented in significant numbers in positions of sheriff, county assessor, and other key positions, much of the agony attendant to the problem of black land decline could probably have been avoided. However, because they have lacked a foothold in the electoral process, blacks have exercised little influence over the private negotiations resulting in the public confiscation of black land for private purposes.

Finally, the continuing poverty of black rural communities accuring from white political domination and control has been a major factor underlying black out-migration to the urban North, and the concomitant dislocation of blacks from important land in the South. Black control over city and county government would have the effect of shifting governmental priorities toward the satisfaction of critical black needs. If such a shift were to be realized, the urban North would be far less attractive to the millions of blacks who have abandoned their southern mooring since World War II in search of economic advantages, and a more conducive political climate. Support for this assertion can be found in the pattern of reverse black migration to Atlanta, Georgia in the wake of the spectacular growth of black political control in recent years. Black controlled governments committed to protecting and advancing the rights of black people could go a long way toward stemming the trend of black out-migration and black land decline.

Black Electoral Gains and Black Landownership

The passage of the voting rights act in 1965 is the pivotal factor underlying the expectation that southern blacks will be able to expand their equity base through increased influence in the political process. As a consequence of the passage of this act, the greatest gains by blacks in terms of electoral success have been made in the South. In 1974, there were 1,609 black elected officials in the South; this figure represented 54 percent of all black elected officials in the country. Thus, in a few short years black governmental representation has been brought into greater harmony with black numbers.

What impact have these developments had on black landownership? There is no evidence that gains made by blacks in the South have resulted in dramatic breakthroughs in the expansion and protection of the black equity base. The reasons for this are several-fold. First, despite the gains that have been made, blacks are still seriously underrepresented in public offices in the South. One study conducted in 1973, suggested that blacks had political control in few of the 26 counties of which they comprised a majority of the electorate.[21] Further, this study showed that in only five of 50 counties in which blacks were a majority of the voting population did blacks have majority control over county commissions.[22] There were, in addition, 160 Southern cities which were majority black that had white mayors; in 111 of these cities no blacks held public offices.[23]

Second, black elected officials tend to be concentrated at the town, village and city levels. Of the positions held at the municipal level, 93 percent are seats on city councils.[24] Most of the councilmen come from small towns; only 10 percent are elected from cities with 100,000 or more residents.[25] In local politics many of the most powerful positions are located at the county level. Blacks have not made significant headway in breaking the white monopoly on county positions. The more powerful and important the position, the more likely the occupant of the office will be white. In 1973, there were only three black county sheriffs, four black tax collectors or assessors, one black treasurer, and one black elected school superintendent.[26] All nine of these officials won their office in predominantly black voting age population counties. As has been previously discussed, black control over positions such as county sheriff, tax collector, and assessor is an essential prerequisite for the eradication of the kind of chicanery by officials underlying the steady decline of black landownership.

Third, black officials in majority black counties lack the fiscal resources to launch an aggressive attack against many of the problems affecting black land possessions. The resource base of these counties is so devastatingly low that black elected officials encounter great difficulty simply attempting to provide basic services; they have no resources to fight legal battles in the court to save their constituents from rapacious whites intent on stealing their land.[27]

Fourth, whites have shown great skill in diluting the power of black elected officials and circumventing their offices in their efforts to continue to exercise inordinate influence. Among the tactics most frequently used are gerrymandering and the consolidation of election districts to prevent more than a few token blacks from gaining access to public office, fear and recrimination as a weapon to frighten blacks away from the polls, and the holding of private caucuses by white elected officials in which their black colleagues are not invited.[28]

Fifth, gains at the local level have not been translated into expanded black influence at the state and national level. Black influence over state and federal policies is practically nonexistent. What the black community faces is a system of white power permeating the entire federal system. At the present time, blacks do not possess sufficient strength to neutralize the deleterious effects of this national system of white power.

Sixth, black electoral gains have not resulted in a significant generation of legal and technical expertise of the kind required to assist black landowners in protecting their investments in land and making them profitable. Some studies show, in fact, that the black community may be losing ground in this respect. The dramatic decline in the black rural population has, for example, had an enormously corrosive impact on agricultural training programs in black colleges. Severe financial shortages, coupled with declining enrollments, has greatly undermined the capacity of these programs to offer technical assistance to small black farmers.[29]

One shining star in the area of technical assistance is the Emergency Land Fund sponsored by the Black Economic Research Center. This agency is involved in not only providing technical assistance, but financially underwriting the cost of keeping troubled black land holdings viable and in black hands. However, much more needs to be done in this area if six years hence the approximately six million acres now owned by blacks will not have dwindled to six hundred.

Summary

The absence of a viable equity base has been costly to the black community both economically and politically. Black dependency on white economic support has served to rob the black community of its autonomous decision-making potential. Further, without the advantage of a steady income and personal property in which they can take pride, many poverty stricken blacks have been unable to develop a serious interest in political activity. At the same time, black organizational efforts--both political and economic--have been crippled by the lack of a sufficient equity base to keep them independently viable.

Economically, the black community has lost billions of dollars in wages and profits that would go to black workers and owners if blacks owned land in proportions equal to their numbers. Underrepresentation of blacks in landownership can, without question, be translated into losses in terms of black earning potential.

Blacks have been major economic losers in other ways as well. Because they have not possessed large land holdings, blacks have not been able to take advantage of governmental programs that provide subsidies for the underutilization of land; these programs are not intended to serve the poor and the struggling but the rich and secure. Blacks have also not been able to share in the enormous profits to be reaped from the relocation of industry to southern land sites. Land once owned by blacks but now in white hands are able to command many times the amount paid to the original black owners. It is hard to imagine how much this factor alone has cost the black community in terms of actual cash profits.

Prevention of the further erosion of the black equity base requires extraordinary feats of political success by blacks in the political process. The gains achieved through electoral politics must be expaned. It is imperative that black officials be present at every level of the federal system to protect black equity interests. Important black political units such as the Congressional Black Caucus and Southern Conference of Black Mayors must become actively involved in the generation of legislative programs that will have a positive impact on the ability of black landowners to protect and expand their primary economic resources.

Finally, there is great need for the development of black controlled assistance programs to give black landowners the information they need to protect and develop their land resources. The Emergency Land Fund represents a significant step forward in this respect. But the work of this agency must be complemented by that of other key institutions. In this respect, black colleges and universities have a special responsibility. Comprehensive programs must be developed and maintained--programs that not only involve instruction in agriculture, but economics, business, accounting, psychology, history and politics. Nothing short of a total effort by all blacks with relevant skills will be sufficient to save black land, and safeguard the future of the black community.

FOOTNOTES

[1] The concept of victimization has been most fully developed by St. Clair Drake, "The Social and Economic Status of the Negro in the United States," in Edward Greenburg, Neal Milner and David J. Olson (eds.), *Black Politics: The Inevitability of Conflict* (New York: Holt, Rinehart and Winston, 1971).

[2] James Turner, "Blacks in the Cities: Land and Self-Determination," *The Black Scholar* (April, 1970), p. 10.

[3] For a discussion of Black Political Resources, see Matthew Holden, *The Politics of the Black Nation* (New York: Chandler Publishing Company, 1973), pp. 9-16.

[4] Ibid., pp. 43-52.

[5] Robert S. Browne, *Only Six Million Acres: The Decline of Black Owned Land in the Rural South* (New York: The Black Economic Research Center, 1973), pp. 24-25.

[6] Richard A. Cloward and Frances Fox Piven, *The Politics of Turmoil: Poverty, Race, and Urban Crisis* (New York: Vintage Books, 1965), p. 8.

[7] Milton C. Fierce, "Black Struggle for Land During Reconstruction," *The Black Scholar* (February, 1974), p. 14.

[8] Ibid.

[9] A. A. Taylor, *The Journal of Negro History*, XI, No. 2 (April, 1926), 374.

[10] Ibid.

[11] Booker T. Washington and W. E. B. DuBois, *The Negro in the South* (Northbrook, Illinois: Metro Books, 1972), p. 105.

[12] Browne, op. cit., p. 19.

[13] Florette Henri, *Black Migration* (Garden City, New York: Anchor Press, 1975), p. 21.

[14] Harry Holloway, *The Politics of the Southern Negro* (New York: Random House, 1969), p. 21.

[15] A full-blown case study of black politics in Fayette County Tennessee can be found in Holloway, Ibid., pp. 66-90.

[16] Stokely Carmichael and Charles V. Hamilton, *Black Power: The Politics of Liberation* (New York: Vintage Books, 1967), p. 133.

[17] Imari A. Obadele, "The Struggle is for Land," *The Black Scholar* (February, 1972), p. 25.

[18] Imari A. Obadele, "The Struggle of the Republic of New Africa," *The Black Scholar* (June, 1974), p. 32.

[19] Browne, op. cit., p. 36.

[20] Anthony Griggs, "How Blacks Lost 9,000,000 Acres of Land," *Ebony* (October, 1974), p. 103.

[21] Charles B. Bullock, II, "The Election of Blacks in the South: Pre-Conditions and Consequences" (unpublished paper presented at the 1973 Annual Meeting of the Southern Political Science Association, Atlanta, Georgia), p. 3.

[22] Ibid., p. 2.

[23] Ibid., p. 3.

[24] Milton Morris, The Politics of Black America (New York: Harper and Row Publishers, 1975), p. 156.

[25] Bullock, op. cit., p. 5.

[26] Ibid.

[27] Ibid.

[28] See Douglas St. Angelo and Paul Puryear, "The Fear and Apathy Thesis Revisited" (unpublished paper delivered at the 1976 Annual Meeting of the Midwest Political Science Association, Chicago, Illinois); also see U. S. Commission on Civil Rights, "Political Participation by Blacks," in Stephen J. Herzog (ed.) Minority Group Politics (New York: Holt Rinehart and Winston, 1971).

[29] "Agricultural Schools Survive Farm Exodus," Black Enterprise (July, 1971), pp. 26-28.

Chapter IV

THE DECLINE IN BLACK-OWNED RURAL LAND: CHALLENGE TO THE HISTORICALLY BLACK INSTITUTIONS OF HIGHER EDUCATION

by

Carl H. Marbury*

Chicanery In Land Loss

Mrs. Evelina Jenkins[1] of Frogmore, South Carolina is black, unlettered and unknowing. She was forced to live the last three of her 65 years on the land of a cousin because her own land, the few acres where she lived most of her life, was taken away from her by an act of chicanery that is not easy to forget. The property that she originally owned was the family homestead, where her mother lived and where her grandfather farmed and reared the family.

An unscrupulous white man got Mrs. Jenkins' land. For a long time she paid $15.00 a year for what she thought was the taxes on her property; the money, she thought to be delivered by him to wherever it was that such matters as this were handled. Then one fall when she arrived with the $15.00, he informed her that he owned the property and that her annual payment had not been tax money, but rent. He indicated that he had owned the property for years and that he had now sold it and, therefore, she must move.

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So, Mrs. Jenkins moved her small house off the eight acres where she had always lived, and she had always loved, and she surrendered the adjoining coastal island that had also belonged to her family. The little island, wrapped in marsh grass and caressed by gentle tides, is now a middle class white playground and residential community worth many thousands of dollars.

Mrs. Jenkins does not know how the white man came to own her land. She is perplexed. Her more worldly-wise friends surmise that he let the taxes lapse, then bought the land himself when the county sold it to collect its back taxes, but she does not know and no one came to her rescue, neither the preacher, nor the county agent, nor her friends or her relatives.

Speaking in the lilting gullah dialect of the southern coastal islands, she told a stranger, "He didn't show me no paper. My mother, she don't know either."

Thousands of blacks in the South have lost their lands in similar fashion. Thousands more have lost theirs in less questionable ways, but just as certainly, as they have migrated to the cities and sold the land to whites. And thousands more are under pressure to sell the relatively small acreage they still own in rural areas to make way for big new white-owned industries, white tourist facilities and white residential developments.

Corporations and Landownership

The South's former slaves amassed an estimated 15 million acres of land in the United States by 1910 to 1915. Then, when the black migration to the North began, the land began to slip away--it has not abated since. The black community is progressively becoming a community without a land base and this has grave social, political and economic implications.

Exact figures are hard to find, but estimates made from available Census Bureau statistics indicate that blacks now own no more than five million acres of the more than one billion agricultural acres in the nation and the decline continues at a rapid pace each year.[2]

Probably more than four million acres of the land owned by blacks is in the South. In South Carolina, according to census figures, blacks owned in full 5,545 farms totaling 310,373 acres in 1969. They operated another 169,674 acres which they partly owned and partly rented.

The situation is similar in the ten other states of the old confederacy except for Mississippi, where blacks still fully owned in 1969, almost a million acres, more than any other state, and in Florida where under the pressures of white immigration, they fully owned only 953 farms amounting to 78,043 acres, less than any other state.[3]

It is most ironic that it is the younger generation of blacks who have migrated from the rural southern states to the highly urbanized North and West Coast in overwhelming numbers. It is many of these same young blacks who helped fashion the present black emphasis on economic goals who now belatedly have come to the realization that there can be no strong economic base without a strong land base.

But the dilemma is only part of a much larger problem that bodes nothing but misfortune for the country as a whole. Poor whites, too, have been victimized by the loss of family land. The black situation has been compounded by the much larger national picture that has tended to work against the best interests of the small and poor family farmers. Who really owns the land?[4]

One of the most disturbing factors about agricultural land in the U. S. is that the top 20 landowners in rural counties generally own 25 to 50 percent of the land. These owners constitute a fraction of one percent of the population.

Land in America is falling into fewer and fewer hands while the number of absentee landowners increases. For example, 60 percent of all the agricultural land in Iowa and

Illinois is owned by absentee landowners, which is one reason why family farmers are leaving the land.

Herewith are some of America's major landowners and the acreage they control on a national basis. The State of New Jersey consists of 4.8 million acres, which should give you a relative idea of how land-wealthy the following corporations are:

Energy Companies	U. S. acreage in millions (including some offshore)
Standard Oil of Indiana	20.3
Texaco	9.9
Mobile	7.8
Gulf	7.5
Phillips Petroleum	5.3
Standard Oil of California	5.2
Continental Oil	4.5
Union Oil	4.1

Timber Companies	
International Paper	7.0
Weyerhauser	5.6
Georgia-Pacific	4.5
St. Regis	3.9
ITT	2.1
U. S. Plywood-Champion	2.0
Scott	1.8
Boise-Cascade	1.8
Union Camp	1.6
Crown-Zellerbach	1.6
Kimberly-Clark	1.5
Continental Can	1.4

Railroad Companies	Surface and Mineral Rights
Burlington Northern	8.4

Railroad Companies (Continued)	Surface & Mineral Rights (Continued)
Union Pacific	7.9
Southern Pacific	5.1
St. Louis-San Francisco	1.4
Total	122.2 million acres

How can little farmers compete against and resist successfully corporate America--these super and multinational companies that are growing bigger and even more powerful in the life of this nation and other countries. And it is really ironic that a system designed initially to foster the interests and good of common people and rural America has instead tended to exacerbate the problems of the rural as it relates to urban America.

The Land-Grant College Complex

In regard to the Land-Grant university system, Jim Hightower wrote about his problem in 1972, in his Agri-Business Accountability Project Report entitled: Hard Tomatoes, Hard Times: The Failure of the Land-Grant College Complex. This report caused a little stir but it was soon downgraded and also forgotten by most of us. Jim Hightower's findings were direct, simple and frightening. He felt that big business and corporate agriculture's preoccupation with scientific and business efficiency has produced a radical restructuring of rural America that has been carried into urban America. According to Hightower, there has been more than a green revolution in the rural countryside in the last 30 years. There literally has been a social and economic upheaval in the American countryside. It is a protracted and violent revolution, but it is quiet and taking place with no one seemingly concerned about the human tragedy which has been slowly evolving.[5]

The 1862 land grant college complex has been the scientific and intellectual father of that revolution. This public complex, established initially to serve the interests of the common man and the people of the land, has found it expedient and convenient to put its tax dollars, its facilities, its manpower, its energies, its research and its thoughts almost solely into efforts that have worked to the advantage and profit of large corporations involved in agricultural. Only a handful of farmers can feed the country and the world but "Oh, at what a terrible price."

The consumer is hailed as the greatest beneficiary of the land-grant college effort, but in fact consumer interests are considered secondarily if at all. In many cases, the complex works directly against the rural consumer including the vast majority of farmers, farm workers, and small town businessmen. Each year about a million of these people pour out of rural America into the cities. They are the waste products of an agricultural revolution designed within the 1862 land-grant college complex. Today's urban crisis is a direct consequence of failure in rural America, but it is difficult to admit. Our technology has succeeded beyond our fondest dreams. Of course, all the blame for that failure cannot be placed on the land-grant complex, but no single institution--private or public-- has played a more crucial role in the human disaster incurred.

The complex has been eager to work with farm machinery manufacturers and well-capitalized farming operations to mechanize all agricultural labor, but it has accepted no responsibility for the farm laborer who is put out of work by the machine. It has worked hand-in-hand with seed companies to develop high yield seed strains, but it has not noticed that rural America is yielding up practically all of its young people. It has been available day and night to help non-farming corporations develop schemes of vertical integration, while offering independent family farmers little more comfort than "adapt or die". It has devoted hours to the creation of adequate water systems for fruit and vegetable processors and canners, but 30,000 rural communities still have no central water systems. It has tampered with the gene structure of tomatoes, strawberries, asparagas and other foods to prepare them for the steel grasp of mechanical harvesters, but it has sat still while the American food supply has been laced with carcinogenic and chemical substances gradually shortening the lives of many Americans--black and white. In a real sense, blacks are being "hanged by their own petard."

This emerging tragedy which touches upon all Americans and the disturbing tragedy of the continuous loss of a black community land base constitute two urgent challenges for the historically black institutions of higher education, especially for the 17 black land-grant colleges.[6] They must take the lead in arresting a bad situation. They are in the best position of all to act in accordance with the raison d'etre of land-grant colleges--that is, in the best interests of the poor and the general populace of America's rural countryside. Who or what else is there in the best position to try and redress the rural-urban imbalance? Maybe the other big land-grant colleges will eventually wake up and see "what they have wrought" but that cannot be counted on because of the peculiar nature of the vicious cycle of which they are a part.

The black land-grant college is in an enviable position to serve the best interests of black and white people in each of the several states.[7] By doing so and by expending its funds and resources in the all-important area of "human resources, research, and development," first and foremost, black land-grant colleges will do much to insure their continued existence and to preserve themselves for the "uphill" struggle ahead as they reach toward the year 2000. In the long run, only the people can assure the long-range future of black colleges. The people are most unlikely to insist on the continued existence of those colleges and/or universities who choose to ignore the problems, concerns and interests of the masses of black people in a given state. The time has come and now is for black land-grant colleges to rise to the occasion. They will never have this opportunity and this chance to lead in this fashion ever again.

The Tennessee-Tombigbee Waterway Project is a chance of a life-time for black land-grant colleges to help raise the standard of living and to improve the quality of life of thousands of black families. Will it be done individually, collectively as land-grant colleges or cooperatively with other agencies fostering the intersts of the black poor, or will it be business and education as usual?

FOOTNOTES

[1] *Time Magazine*, December 7, 1972.

[2] The Black Economic Research Center in Atlanta (ELF) and Dr. Lester M. Salomon at Duke University estimate that blacks are losing land at the rate of 333,000 acres a year. In 1915, 9.8 million blacks owned approximately 15 million acres. In 1969, 22.4 million blacks owned only six million acres of land.

[3] Eleven Southern states comprise the basis for the rural black land in America today. They are Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Texas and Virginia.

[4] *Parade Sunday Magazine*, June 9, 1975.

[5] Joseph Brooks, Executive Director of ELF in Atlanta thinks this is the *root* cause of the urban crisis. The urban crisis was caused by an overwhelming number of people moving from the rural with little or no adjustment made to cope programmatically for such a dramatic change by local, state or the federal government.

[6] When the Morrill Act created land-grant colleges in 1862, most of America's black population was in slavery. After the Civil War, blacks were refused admission both by custom and by law. In 1890, a second Morrill Act was passed to establish land-grant institutions in those states maintaining dual systems in education. This act included a "separate but equal" provision authorizing the establishment of colleges for blacks with land-grant functions. Seventeen southern and broder states took advantage of this provision and then refused to provide "equitable" funding for them. In 1971, of the approximately 77 million dollars in USDA funds allocated to those states with both white and black land-grant colleges, 99.5 percent went to the white colleges and only 0.5 percent to the black colleges. Less than one

percent of the research money distributed by CSRS in 1971 went to the black land-grant colleges. It was only in 1972, through the persistent and diligent efforts of Dr. R. D. Morrison and other black land-grant college presidents that the USDA finally appropriated 14 and later 17 million dollars for extension and research in the black colleges. Blatant discrimination prevailed, at the federal and state levels, for over 80 years.

[7] Robert S. Browne, Executive Director of the black Economic Research Center in New York, has made a strong case for such a mission as this by black land-grant colleges in his paper prepared for the Southern Rural Task Force (May, 1975) entitled: *The Role of Land in the Development of Southern Rural Black Communities*. See pages 25ff. Tennessee State University has pioneered in this regard through the work of Dr. Leo McGee and Mr. Robert Boone. TSU was the first black land-grant college to receive CSRS funds specifically for rural landownership, control problems, and attitudes of minority toward land within the state as a whole. Alabama A. and M. University and Tuskegee Institute are involved indirectly through the Alabama Center for Higher Education's Human Resources Research and Development Program.

CHAPTER V

EMERGENCY LAND FUND

A Rural Land Retention and Development Model

by

Joseph Brooks*

Introduction

The Southeast is often referred to as a New Frontier for economic development and expansion. The Frontier label, whether justified or not is catching on and is echoed by individuals and institutions in both the public and private sectors, by foreign investment groups, and not the least by politicians in an election year that may produce a southern president.

Areas of the rural Southeast which were underdeveloped and isolated as recently as 10 or 15 years ago, are now new towns and resort developments; they encompass the present or planned routes of new highway and water transportation systems, of new oil and gas fields, and of nuclear power generators; they are producers of a growing share of the nation's and the world's food and fiber needs. In short, they clearly exhibit the beginnings of potentially tremendous industrial and commercial developments. In the face of such dramatic change, the Emergency Land Fund (ELF) raises the question: With over 50 percent of the total U. S., black population residing in 14 southern states, and with half that number being rural, how and through what means will blacks benefit from this growing prosperity of the South?

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* Joseph Brooks, Executive Director, Emergency Land Fund, Atlanta, Georgia.

This chapter will concern itself with the activities of ELF in addressing the opportunities and the problems of the inclusion of blacks in the expanding prosperity of the rural Southeast region. The particular focus of the ELF program is the extent to which these opportunities are increasingly being diminished through the loss of black owned land and the attendant outmigration of blacks from the South.

The Black Land Loss Problem

It is a well documented fact that America's population has become increasingly urban, although there are some signs that this urbanization process is slowing. In 1870, the United States was only 2.5 percent urban while in 1970 an estimated 75 percent of all Americans resided in urban areas. It has been further projected that by the year 2000 the United States will be 85 percent urban. Although the urbanization trend has been evident among all ethnic segments of the population, the rate or urbanization has been especially high among the black community.

A primary pull factor for outmigration generally has been the promise of higher wages and a better standard of living offered by urban areas. This was clearly the case during World War I and II when the United States' war effort, and consequently the northern industries, needed a larger labor pool. Since the mid-fifties, however, the absorptive capacity of the urban centers (New York City is a prime example), especially as regards untrained and unskilled labor, has declined noticeably and with it the relative attractiveness of urban migration. Nevertheless, migration to urban areas, albeit on a reduced scale, has continued, in large part because of the bleak economic picture for rural people; it is particularly true for the black rural family. For example, in 1965, during a relative healthy economic period, 68 percent of non-white farm families were below the poverty level and 56 percent of non-white, non-farm families living in small towns and rural areas were below the poverty level. The picture a decade later is not likely to reveal significant change.

The Emergency Land Fund has set for itself the task of helping to improve the economic conditions of the southern black landowner by focusing on his land, which is usually his major capital asset. Research on black landownership has revealed that the land base for blacks was at its maxium in 1910, when blacks owned some 15 million acres. By 1950, this figure had declined to 12½ million, and since that time the acceleration has been astounding with the most recent Census of Agriculture (1969) placing the figure at something less than six million acres.[1] This recent decline in black landownership has coincided both with the migration of blacks from the rural South as well as with the rise in southern land values and the emergence of the new, industrializing southern frontier. If blacks are to benefit from these contemporary trends in the southern economy, it is clear that their past patterns of outmigration and separation from their land must be reversed.

The ELF program operates from the assumption that one means of reversing this trend is by helping the blacks who own land to bring that land into profitable production. In this way the landowner can be provided an income, which will presumably eliminate his need either to migrate or to dispose of his land.

The heart of the ELF program during most of its five years of existence has been focused around simply helping blacks to retain title to their land in the face of a broad range of barely legal and clearly illegal practices which have long been used to deprive blacks of their land holdings. Closely related to these "courthouse" type problems, which stem largely from landowners being black or being uneducated, is a host of different type problems which arise from the landowner being poor. These are the cases where land is being foreclosed on because the landowner actually cannot meet his payments. Often in such cases the key to retaining the land is simply to find some means of making the land sufficiently productive to yield a positive return. In the past year, ELF has given increased attention to this latter problem of land development.

Land retention and land development thus constitute the dual thrust of the Emergency Land Fund program. The pages that follow will describe the techniques developed for pursuing this program.

The Emergency Land Fund Program

When ELF began operations it had no model to follow and possessed precious little detailed information about the real problems which were resulting in the astonishing loss of land by southern rural blacks. Because there was no one to turn to for guidance, ELF used trial and error techniques to learn what the real problems were and what methods would be most effective in addressing them. Since there were no persons with experience in the field, ELF staffed itself with concerned and committed persons, described to them the problems, and then the staff trained itself. This was true even with black lawyers. Rather than being able to turn to them for help, we were obliged to alert them to the problems, for rural real estate law was generally well outside their experience.

During its first three years ELF launched a major attack on the three practices which were so frequently found to be the basis for so much of the black land loss: the tax sale; the partition sale; and the foreclosure. All three of these practices are, of course, legal in and of themselves. The problem is that they are so frequently utilized in abusive, discriminatory, and marginally legal ways.

Tax Sales, Partition Sales, Foreclosures

In the tax sale, for example, a landowner's failure to pay his taxes for two or three consecutive years can lead to the ultimate loss of his land. Furthermore, anyone who chooses to may pay these taxes and thereby oftentimes gain a legal hold on the land. Procedures for notifying landowners when their taxes are due are often lax--sometimes purposefully so when it comes to blacks--and vast amounts of black-owned land have been unintentionally lost via this tactic.

The partition sale is, if anything, a more vicious instrument than the tax sale. Under this practice, property owned by a number of heirs (so called "heir's property") may be brought to a forced sale (to transform the land value into cash so that it may be partitioned among the heirs) by anyone who obtains an heir's interest, whether by purchase or otherwise, no matter how small that interest is. Once such a sale is demanded, there is typically no bidder other than the individual forcing the sale (the folks living on the land are usually too poor to bid, and the court requires cash) so the land is likely to be sold for a fraction of its true value as the owners watch helplessly on the sidelines. Because "heir's property" is very commonplace among rural blacks owing to their superstition about the making of a will, the black community is particularly vulnerable to the unscrupulous partition sale which is brought about by someone buying out the interest of a single one of the heirs and then demanding that the land be sold.

Foreclosures, the third practice through which much black owned land is lost, although commonplace, are less often the result of overt chicanery than of economic hardship. Regardless of their motivation, however, they were a major cause for blacks losing their land and consequently they must be addressed as a problem. Was the loan a reasonable and valid one in the first place? Why can't the mortgagee meet the payments? These and other questions must be examined in determining the true source of the problem and in planning how to overcome it.

During ELF's early period when it was first learning about these practices and experimenting with ways to thwart them, it enjoyed some of its most gratifying moments. Although these nefarious practices have probably been taking place for **nearly a century**, ELF staff found itself to be the only blacks in attendance at these tax sales. The first time ELF staff appeared at such sales the atmosphere immediately became tense, the consternation palpable. Needless to say, the ELF staff persons were pretty uneasy at these early encounters, a situation which has so fully reversed itself nowadays that the local black people are now beginning to come to the tax sales themselves, demanding to see the tax record books and otherwise exercising rights which they had been intimidated from exercising in the past. An EFL staffer, attending his first tax sale in one Mississippi county, reported overhearing one white official remarking to another that not only were niggers present but that he had heard from someone at the bank that the niggers had "just deposited a big check from up in New York.".

They are getting used to seeing blacks at the tax sales now, and hopefully the blatant abuses are being corrected. The appearance of an ELF team at a partition sale, however, continues to provoke the consternation of the manipulators who think they are going to walk off with a poor black family's property by paying only a fraction of its true value. When they discover that their bidding will not go unopposed the frustration becomes evident. ELF usually comes to such sales prepared to bid up to the true market value of the land. Fortunately, the bidding rarely goes this high. ELF wins the bid and becomes owner of the land. The heir interest which forced the sale of the land is paid off and ELF resells the land to the family at the bid price plus expenses. An unscrupulous plot has been thwarted, the family is able to remain on its land, and hopefully the perpetrators are discouraged from continuing this nefarious practice.

Participation in partition sales ties up substantial sums of money so ELF is able to respond to only a portion of those which come to our attention. We are convinced, however, that the involvement which we have had in such sales is already having a chilling effect on this practice and, like the tax sales, we consider this program as one of our real success areas in which we identified a problem which no one had ever before addressed; explored how best to attack the problem; and then proceeded to implement a program which had been successful.

Emergency Loan Fund

Very early in its life ELF learned that the lack of money and of access to money was a major cause for blacks losing their land. Like most small farmers, black farmers operate on the bare edge of solvency much of the time. Bad weather, a poor crop, a major illness of the key member of the household, can quickly push the family into insolvency. Farmers generally have to borrow money in order to get their crops into the ground, and sometimes to get their crops out of the ground and to the market as well.

In the rural South, the obtaining of such capital funds has always been a problem for blacks. Racial prejudice and institutionalized racism have converged with the frail economic and educational base of many black families to earn the black farmer a place only at the tail end of the credit line. Without credit, few farmers are able to operate. Yet the black southern farmer has faced a history of refusal of credit, or of obtaining it only on the most onerous of terms, terms which are strictly enforced at the least sign of non-compliance. ELF quickly discovered that if it were to be about the business of saving land, clearly it needed to have a loan fund.

Approximately $200,000 was earmarked by ELF for this purpose--an amount which was rather quickly exhausted and which needed to be many times greater. As a revolving fund making mainly short term loans, however, it has been possible to lend out considerably more than the $200,000 over a period of several years. Unfortunately, ELF's sharply reduced fund availabilities during the past year has resulted in its now having to use current loan repayments for operating expenses, so the fund has begun to dwindle and will eventually extinguish itself unless replenished.

ELF's experience with its loan fund has been highly encouraging. The following table indicates that its loss ratio has been remarkably low--less than five percent. Even if one adds in the past due loans, the figure rises only to 11 percent which compares favorably with many financial institutions making this type of loan.

In practice, the loan program has not only enabled ELF to save land directly, it has also provided ELF a means to get close enough to the farmers to permit it to analyze their situation and in many cases to provide them with the direction and the technical assistance which they needed if they were to avoid future insolvencies. The importance of having some cash ready to put up when it is needed cannot be overestimated in terms of being an effective means for prodding conservative landowners to take the necessary steps to tighten up their operations or to instigate whatever changes may be required to increase their chances of success.

Emergency Loan Fund Analysis

Fifty-seven (57) loans over three and one-half years period ending August 31, 1976.

		Percent
Total loans during period	- $272,388.10	100
Dollar amount paid back	- 112,770.35	41.4
Loss or uncollectable loans	- 1,298.00	.47

Schedule of Loans Outstanding

Past Due	$ 28,679.63	10.5
Due by 8/31/77	83,797.51	30.7
Due by 8/31/78	21,026.90	7.7
Due by 8/31/79	10,923.49	4.0
Due by 8/31/80	8,136.16	2.9
Due by 8/31/81	2,424.91	1.0
Due by 8/31/82	1,786.17	.7
Due by 8/31/83	1,138.28	.4
Due by 8/31/84	406.70	.1

Average size of loan is $4,780.00 with interest rate varying between 4½ to 5%.

The LUBA Project

Most black rural landowners have small holdings, ranging from one to 50 acres. A high portion, possibly the majority of these plots are not being put to any productive use. Although many of them are undoubtedly idle because the owner is absent, many more are idle because the owners feel that it is no longer profitable to cultivate them. Frequently, cotton is the only crop which these landowners have had experience in cultivating and with current cotten prices it is indeed no longer profitable to grow on small acreages and with hand labor.

There are, however, other crops which can be profitably grown on these small acreages, some in fact which can even be grown by a family whose main breadwinner works on a full time job elesewhere. With average family income in these areas often as low as $2,000/year, social and economic payoff from an effective utilization of the land is self-evident. What is needed is for the farmer to be made aware of the possibilities, to be provided the necessary technical information and management skills, and to be directed toward operating capital and market outlets.

In an effort to meet some of these needs, ELF has launched a project which it calls Land Utilization Benefiting Agriculture (LUBA). This project recognizes the needs of these small landowners and it also recognizes that the land-grant colleges' government funded extension service programs, designed to assist the farm population, are failing to meet the needs of such farmers. The emphasis at the agriculture experiment stations has been on agribusiness and on a technology which is not available or suitable to the small black farmer. The County Extension agents, whose task is to popularize the newer agricultural discoveries and techniques among the farm population, are themselves handicapped by the inappropriateness of much of their information.[2] There have also been racial and other barriers which have prevented black landowners from benefiting from the government-funded extension work. The LUBA Project is intended to help to fill this void and to convert idle land into a productive asset for many poor black landowners.

During its first year (1975-76) the LUBA Project undertook two major efforts:

(a) to organize a group of farmers to grow specific crops for markets which ELF had located.

(b) to demonstrate to farmers in the Project area the feasibility of profitably growing greenhouse tomatoes.

The overall results of this effort are, however, quite encouraging, especially as regards the production and marketing of crops on small acreages. Cucumbers and irish potatoes were successfully marketed and yielded a favorable return to the demonstration but was less successful although the LUBA staff, which previously knew nothing about raising greenhouse tomatoes, feel confident that they have learned enough to carry through a successful demonstration this year, and the problems which they encountered will better equip them to warn the farmers of pitfalls.

Challenge to the Farmers Home Administration (FmHA)

FmHA emerged as an operating agency of the U. S. Department of Agriculture in the early 1900's for the purpose of providing finance capital and other services to small landowners. FmHA grew out of the socially oriented FDR

New Deal Farms Security Administration of the late 1930's. However, FmHA today no longer resembles the congressional mandate given it and ELF maintains that this departure has been at the expense of rural blacks.

For the past two years ELF has intervened on behalf of black landowners seeking acquisition or operating capital, as well as to convince FmHA in some cases not to foreclose on certain loans. These efforts have carried ELF to the top of the FmHA structure where it has argued, with documentation, the unclear and sometimes arbitrary criteria that are applied to blacks seeking acquisition and operating capital loans.

In June 1975, ELF staff met with national and state representatives of FmHA in Montgomery, Alabama, to dicsuss several cases that ELF had documented suggesting unclear and arbitrary policies of the agency as they relate to blacks. At the meeting ELF presented a 13-page document entitled, "Federal Financing for Black Rural Development: A Report Focusing on FmHA Credit Barriers for Minorities in Eleven Southern States."

One area of documented abuse presented at the Montgomery meeting was the concern for farm ownership loans. These loans are a critical resource to the survival of small and medium size agricultural operations in the South. ELF research shows that blacks have consistently been restricted in both the number amount of farm ownership loans received at FmHA. A specific example was noted in Mississippi. With blacks representing 42 percent of the farm population in 1974, they received only eight percent of the State's farm ownership money. Further the average size of a loan to whites was $27,000.00 in 1974 compared to only $14,000.00 for blacks. ELF research shows that this pattern closely resembles disparities in ten other southern states.

The following factors are considered impediments to the full participation of blacks in the FmHA:

a) Lack of community training and information about FmHA programs;

b) Relegation of FmHA black employees to non-decision making positions;

c) Excessive loan processing periods, culuminating in the loss of black-owned land and increased debt;

d) Biased exercise of discretionary powers in extending credit to and imposing foreclosure on black borrowers.

e) Credit denial to moderate-income blacks with limited risk capability statements; and

f) Underextension of emergency, ownership, recreation and water and soil loans to blacks particularly in those counties where blacks comprise 30 percent or more of the population (rural red-lining).

ELF proposes to address the situation indirectly through efforts to:

a) put minority institutions and organizations in a position to package opportunities for black rural residents;

b) increase pressure upon Washington FmHA administrators to develop compliance procedures that will ensure equal opportunity and affirmative action in County FmHA offices;

c) provide Congresspersons and non-federal black elected officials with documented insight into the problems of black people on the land;

d) enlist the support and involvement of black elected officials in monitoring and overseeing FmHA activities and the Department of Agriculture's minority record in the South; and

e) aid policy-makers in the development of legislative mechanisms that will align FmHA program implementation with Congress's intent that this agency serve the needs of all the people and in particular the black southern rural farm population.

County Contact System

By 1974, ELF felt that it had acquired sufficient familiarity with enough key aspects of land retention techniques to allow it to begin to train the community to monitor its own land problems. The work which was done in a score of counties needed to be multiplied many times over if the problems were to be addressed on a southwide scale, and clearly the best way to expand the program was through a community organizing process.

Thus was launched a system of County Contacts, initially in 44 counties in Mississippi and subsequently extended to 17 counties in Alabama. At present, the County

Contact System (CCS) operates in 61 counties of the 149 total counties comprising the States of Mississippi and Alabama.

The participants in the CCS are volunteer workers located in the 61 CCS counties. After an orientation session provided by ELF field staff, the County Contacts take on the responsibility to identify and inform the ELF state office of the land-related problems affecting black residents in their respective communities. One vital source of information used by the contacts are the legal notices section of the newspaper, where tax and partition sales are generally listed (but rural blacks rarely read such items). Blacks whose land is being put up for tax or partition sale are alerted by the County Contact. If some of them cannot be located or are unable to avert the sale, the County Contact notifies the ELF state office and ELF staff attempts to provide the needed assistance.

County Contacts do, on behalf of ELF and their communities, participate in the bidding process at tax and partition sales. Also, some contacts have learned to conduct title searches, to collect and disseminate information, and to perform other vital functions that have proved to be essential to the overall operation of ELF and highly useful to their own communities. Land Education workshops are frequently held throughout the CCS counties and training sessions or the contacts are provided by the ELF field staff.

Additionally, there is a competition among the contacts, wherein the contact responsible for saving the most land during a given period is awarded a prize. The prizes are U. S. savings bonds, awarded on a quarterly and yearly basis.

The scope of the County Contacts' activity expands as the ELF program expands. In Mississippi, where ELF's demonstration farm is underway, it is expected that the County Contacts will be instrumental in communicating information about the farm and its work and in interesting black farmers in ELF's findings. ELF's staff also provides para-legal assistance on land problems and in Alabama it retains a small team of lawyers who have become experts in rural land law through their involvement with ELF. With these and other legal experts, ELF prepared booklets dealing with various legal aspects of real property ownership and the County Contacts distributes these booklets and explains their importance. The first such booklet published is entitled Adverse Possession. It provides vital information about land rights and obligations and it has proved to be highly popular with our County Contacts and with the people with whom they converse. The Mississippi office of ELF supplements these community outreach and educational efforts with a monthly newsletter which carries information of interest to black landowners and black farmers.

It frequently happens that black landowners, faced with foreclosure, are in need of loans. Such cases are referred to ELF via the County Contact, who is often in a position to make a recommendation because he personally knows the family involved. Also, when a family feels that circumstances absolutely oblige it to sell its land it notifies the County Contact so that he may refer the sale to possible purchasers, or to ELF, in hopes that it can find a black buyer.

Although much remains to be done to improve the County Contact System, and although it suffers from the usual problems associated with a corps of volunteer workers, there is no doubt that the system is doing a remarkable job of assisting local people in a very concrete way at a minimum cost. It is the nucleus of what could become a major network of community organizers useful for a variety of programs in other areas. Even in its present volunteer format, CCS merits expansion to other counties in Mississippi and Alabama, as well as to other states which are pleading for assistance with their land problems.

Tennessee-Tombigbee Waterway Project Area

The Tennessee-Tombigbee Waterway Project is a one billion dollar Federal Public Works Project to link the Tombigbee and Tennessee Rivers. The Tennessee-Tombigee

Waterway will provide a new inland water route to connect the Port of Mobile with Nashville, the Midwest and Chicago. When completed for navigation the Waterway is expected to increase substantially the commercial, industrial and agribusiness activity in the Northwest Mississippi and Southwest Alabama area.

Construction of the 253 mile water route, which is scheduled to last for 15 years, is supervised by the U. S. Army Corps of Engineers with the policy authority vested in Tennessee-Tombigbee Waterway Development Authority. The Authority is a five-state group with membership appointed by the governors of the States of Alabama, Mississippi, Florida, Kentucky and Tennessee.

The Emergency Land Fund, recognizing the impact that the Waterway Project would have on black landowners in the region, joined with a number of other organizations to form the Minority Peoples' Council for the purpose of educating and organizing the minority popluation in affected counties. The failure to include any minority representation on the Waterway's policy and planning boards despite the fact that 40 percent of the population in the project area is black pointed up the urgency of organizing a bloc for mobilizing community interest.

In addition to its initiative in helping to create the Minority Peoples' Council, ELF undertook an inventory of black landowners in the Waterway Project area, completing more than 1,200 interviews in four Mississippi counties and involving 85,000 acres of black-owned land. The data collected thus far reveal among other things:

a) A majority of black landowners are not aware of the Waterway Project.

b) Of those black landowners who are aware of the Project, they have learned of it indirectly and in some cases through the inquiries of real estate brokers and speculators that ELF assumed are active (given the anticipated increase in land values associated with the further development of the Waterway Project).

c) As little as 15 percent of the black landholdings are productively utilized, with some holdings without even a home garden.

d) A majority of the landowners are either not aware of programs offered by FmHA or have not bothered to inquire about such programs.

e) Most of the landowners are 55 years or older with their children having moved from the area.

ELF has operated on the assumption that land not in active use is likely to be lost and that black land in the path of general economic development has a higher probability of being lost than land elsewhere. This is the case with black land in the Tennessee-Tombigbee Project area. For example, in two Mississippi counties where ELF interviewed black landowners, we noted that over a five year period, black landownership had been reduced by 40 percent in Clay County, and 22 in Lowndes County. That is, over a five year period since the 1969 agricultural census, black landownership had been reduced from 18,959 acres to 11,376 in Clay County and from 25,588 acres to 18,959 acres in Lowndes County. This alarming rate of decline in black landownership far exceeds recent rates of decline of black-owned land in other areas of the South, and the difference is accounted for by the active development of the Waterway Project.

The survey also served as an educational tool to alert the community to the coming of the Waterway and to make residents aware of its implications for their area. The data collected on the characteristics and usage of the black-owned land may later prove valuable for siting development projects of various types.

The National Association of Black Landowners

From its outset it was apparent that the ELF program had touched a very sensitive chord within the black community, for the response to its appearance was nothing short of remarkable. As word of ELF's existence began to **seek** out to the community there first emerged a trickle of letters, calls and personal inquiries. Gradually, that trickle became a veritable torrent, extending from heart-rending pleas for help to very businesslike requests for precise types of assistance to meet very specific situations. Blacks in the North called to inquire whether ELF could save the 50 acres a grandparent had left them, or whether we could suggest what they should do with 120 acres which their relatives had inherited. From the rural South came laboriously handwritten letters describing in agonizing human terms despicable actions which had been perpetrated on the writer as regards his/her land and asking ELF's help. Articles about ELF in the New York Times and in Ebony served to stimulate this flow, further overtaxing our very limited capability to deal with what was clearly emerging as an enormous and highly complex problem which was long overdue for attention.

Whereas, ELF had qualified itself to do business in seven southern states, it chose to limit itself at the outset to only three: Alabama, Mississippi and South Carolina. (The national headquarters are in Atlanta but no field office exists in Georgia). The scarcity of funds, combined with the burgeoning demands for ELF's services, led to a decision to concentrate efforts even further and in 1975, the South Carolina office was closed. It was ELF's hope that perhaps some other organizations, perhaps better funded, might bestir themselves to take an interest in the black land loss problem. This did occur in a couple of states on a very limited scale, but the complexities of dealing with the problem apparently discouraged organizations from seriously addressing the land loss issue and ELF continued to be beseiged by requests from states where ELF have no staff capability whatsoever.

As a partial means of responding to these expressed needs ELF, together with the Alabama Center for Higher Education, a consortium of the eight senior black colleges in Alabama, sponsored a southwide black landowners' conference. Convened in June 1976, at Tuskegee Institute, the conference was reminiscent of one similarly held at Tuskegee in 1891, when black farmers were convened to discuss problems of blacks in agriculture in general and black landownership in particular.

Five southern states were represented at our conference, which was attended by 150 black landowners who collectively own in excess of 10,000 acres of land. Conference workshops included discussions of heir property, wills, beef and hog production, crop management, capital needs, forestry and timber management, and oil, gas and mineral rights. A number of creative ideas emerged, all centering on organized action such as pooling land as collateral for membership loans, collective negotiation of lease arrangements for exploration of oil and mineral possibilities, and group political action on land-related issues. A decision was made to form a National Association of Black Landowners (NABL) which would be a service organization to black landowners--providing educational and legal information, land development and management guidance, assistance in the obtaining of loans, and generally the full range of services which ELF presently provides in the counties where it is active. The NABL is thus a structure designed to fulfill the ELF function in those areas where ELF is absent. The obvious difficulties of implementing such a plan are apparent, for in effect NABL proposes to become another ELF, but without either the resources or the technical skills. The determination of these black landowners to help themselves was made quite explicit, however, when they voted for an annual dues payment of not less than $50.00 per member! (Many, although certainly not all, of these persons live at the poverty level or below).

Whether this incipient organization will get off the ground or not remains to be seen. Regional follow-up meetings have already been held in several areas and a second conference is being planned for December, 1976. Clearly, a need exists and a will has been expressed to address this need. ELF will continue to do what it can to assist the effort for obviously neither the technical skills nor the volume of resources required are likely to be found within the group itself.

Summary

From the foregoing pages the reader is able to grasp some sense of the dimensions and of the many facets of declining black landownership. It is a problem which cuts across the domains of economics, of politics, of sociology, and perhaps even of ethics. It is a problem which, if ignored, could lead to a virtually landless black citizenry by the year 1990, just 13 years away. (Blacks are currently losing more than 300,000 acres each year).

Some portion of this land loss is undoubtedly a reflection of the personal preference of individuals to live in cities rather than in rural areas, a phenomenon which is well documented and which is not limited to blacks. The urbanization of America, which was alluded to earlier, is not a trend which ELF is pretending to reverse.

On the other hand, there is ample evidence that many of those who are abandoning the land are doing so only because of economic necessity. ELF addresses itself to those cases, and they are sufficiently numerous to warrant the existence of an organization many times larger than ELF, for clearly ELF is only scratching the surface in the few counties in which it operates. ELF is not equipped to carry out a cost benefit analysis of its program, and much of what ELF accomplishes does not lend itself to a dollar and cents evaluation, for how does one place a value on an injustice which has been thwarted or a spirit which has been given hope? We can, however, identify tens of thousands of acres of land which remain in their owners' hands today which, in the absence of ELF, would have been in the hands of others, of whites, usually without fair payment having been made.

When agencies such as the FmHA are pressured into extending their services to blacks, when blacks are provided the self-confidence to appear at the tax and partition sales, to bid for their land and to demand to inspect the county tax records, a positive service is being rendered to the entire community. Citizenship is being made a reality where it had previously been a sham.

As the nation enters an era when food may be a far more vital resource than it has been and when energy intensive agriculture may become less attractive than formerly, the fact that black farmers have been taught to cultivate profitably their small acreages may prove to be a national, as well as a personal advantage. This resource advantage is over and above the micro-economic benefit which accrues to the farmer in the form of a higher cash income.

Finally, with the Southeast region, home of more than half of America's black population, enjoying an unprecedented boom of prosperity and development--a development which is transforming its economic profile in numerous ways and drastically affecting its land values in numerous ways--it is imperative that the interests of the black landowner not be ridden over roughshod. Secretary of Commerce Richardson has just released a vital study entitled Land and Minority Enterprise: The Crisis and the Opportunity,[3] which points up, from the business perspective, the importance of land as the major capital asset owned by the black population. These findings complement and undergird the program of ELF.

Thus, for a mixture of economic and non-economic, of measurable and non-measurable reasons, the program of the Emergency Land Fund is a particularly significant one.

FOOTNOTES

[1] Robert S. Browne, Only Six Million Acres (New York City: The Black Economic Research Center, 1973).

[2] Jim Hightower, Hard Tomatoes, Hard Times: The Failure of the Land-Grant College Complex (Washington, D. C.: Agribusiness Accountability Project, 1972).

[3] Land and Minority Enterprise: The Crisis and the Opportunity (Washington, D. C.: U. S. Department of Commerce, Office of Minority Enterprise, 1976).

Chapter VI

A STUDY OF RURAL LANDOWNERSHIP, CONTROL PROBLEMS AND ATTITUDES OF BLACKS TOWARD RURAL LAND

by

Leo McGee*
Robert Boone**

Introduction

Problem Statement

The decline in black owned rural land did surface as a major issue within the past few years. Developing strategies to arrest this rapid decline in real estate has been a high priority on the agenda of concerns in the black community. For the land base of all ethnic groups in **America** is inextricably intertwined with their potential for social, political and economic progress.

The number of black farmers declined tremendously after World War II. Unlimited job opportunities are available in large urban centers. Farm mechanization forced thousands of tenant farmers out of jobs. In Tennessee alone,

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black operated farms dropped from 14,302 in 1959 to 4,930 in 1969.

Some of the reasons cited for the precipitous decline in rural landownership include:[1]

1. black migration from the South to northern and western cities,
2. general illiteracy among rural blacks, and
3. chicanery perpetrated by unscrupulous lawyers, land speculator, and county officials.

There was no accurate information on the actual extent of this acreage decline or on the types of title transfer arrangements made by black landowners in Tennessee. Also, no information was available relative to attitudes, opinions, and values held by blacks with respect to rural land. This circumstance was a matter of considerable concern, particularly within the black community and had generated a number of hypothesis about the causes and remedies. Because of these factors, this study was undertaken to yield factual information on the status and trends of black landownership in Tennessee, provide information in regard to the institutional practices associated with land transfers, and determine the attitudes held by blacks toward rural land in Tennessee.

Questions

This study was designed to investigate the following specific questions:

1. What is the extent of black owned rural land in Tennessee?

2. What are the institutional practices associated with rural land transactions?

3. What are the attitudes held by blacks with respect to the ownership of rural land?

4. Have real estate officials been unfair to blacks in land matters, particularly through abusive uses of legal codes?

5. Are there a significant number of blacks who are unaware of real estate legal matters?

6. Are blacks still loosing land at an accelerated rate?

7. What are the specific reasons why blacks have lost land?

8. What is the percentage of rural acreage used as a primary and secondary source of family income?

9. Is there a high percentage of black owned rural land controlled by individuals 55 years of age and older?

10. Are individuals between the ages of 22 and 38 more aggressively seeking ownership to plots of rural acreage?

Limitations of the Study

The 1964 Census of Agriculture data revealed that there was a wide variance in the number of black farm operators in the 95 counties in the State of Tennessee. These data further indicated that there was a range of zero black farm operators in a number of counties to over 300 in several others, with the highest number being in the middle and Western portions of the State.

To insure participation of an adequate number of black landowners in this study, the research population was geographically limited to three of the counties more densely populated with blacks--Maury, Fayette, and Haywood Counties.

A random sample of 147 landowners were chosen to participate in the study.

Definition of Terms

1. Landowner refers to a principal owner(s) of a plot of rural land one or more acres in size.

2. Rural land refers to acreage located in a community with a population of 2,500 or less.

3. Farm operator refers to an individual(s) who utilizes rural acreage as a primary or secondary source of family income. That individual(s) may or may not be the principal owner of the property.

4. Tenant farmer refers to an individual(s) who rents rural acreage. The family lives on the property and often pays a portion of or the total amount of the expenses incurred with assets gained from the marketing of produce.

5. Land transaction refers to communication between courthouse personnel, land speculators, or real estate officials and the landowner.

Methodology

Research Sample

A review of the 1969 Census of Agriculture data revealed that in the 95 counties in the State of Tennessee a small percentage did not have black inhabitants who were farm operators, particularly in the eastern portion of the State. The research sample was taken from three of the counties more heavily populated with black farmers, Maury Fayette and Haywood.

The researchers were assisted by the Farm Home Administration (FmHA) and Mid Cumberland Region Project in the identification of the 147 black landowners who participated in the study.

Instrumentation

A 30 question questionnaire was developed to collect research data. A small section of the instrument was designed to obtain demographic data from subjects. With the exception of the demographic section, the questionnaire was divided into three sections, with 10 questions per section.

The questionnaire addressed three areas:

"Attitudes of Blacks Toward Rural Land," "Perception of Blacks with Respect to Institutional Practices Associated with the Transfer of Rural Land," and

"Perception of Blacks with Regard to the Status and Trends of Rural Landownership."

The questionnaire was field tested in Sumner County Tennessee. Fifty landowners were administered the questionnaire. The primary purpose of this activity was to improve the readability, understanding, objectivity and practicality of the instrument.

Data Collection

A visit was made to the courthouse of each of the target counties to review the record keeping procedure. This included a visit to the office of the Registrar and the county Tax Assessor. The office of the Registrar contained records of property transfers, land acreage, and the amount of money paid for land. The Tax Assessor's office provided current information on property assessment for tax purposes.

While engaged in the process of field testing the research questionnaire, it became obvious to the researchers that a vast majority of landowners were unable to complete the questionnaire without direct assistance. Consequently, the decision was made to have all questionnaires completed by professionals with training in interviewing. In each county, professionals were employed to administer the questionnaire in an interview type setting. All were presently or formerly public school teachers. All were given three hours of instruction in interviewing by a psychologist.

The questionnaire was administered on a door-to-door basis to 147 landowners. The first portion of the questionnaire required that subjects provide demographic data which in this case included: sex; age; number of children; value of land; year land was purchased; use of land; marital status; number of acres owned; price paid for land; and employment status. The subjects were instructed to respond to the latter 30 questions on a likert-type continuum: Strongly Agree; Agree: Strongly Disagree: Disagree; and No Opinion.

Related Literature

Economic Status of Rural Black Landownership

The economic status of this nation has depended greatly on the efficient utilization of farm land. A great proportion of farm labor supply has been provided by blacks. According to Browne,[2] blacks have been closely attached to land, whether through field production or domestic service on farms or plantations.

Following emancipation blacks engaged more vigorously in land based pursuits, beginning by agreeing to share crop with white landowners. It is estimated that by 1910, blacks owned 15 million acres of land, which was the peak year of black landownership in the United States. By 1920, the total number of farms operated by blacks was 926,000 which was one-seventh of all farmers in the United States. Included in this number were tenant farmers who supplied all of the labor and exercised managerial functions being paid with a share of the crop.[3]

In the rural South, studies have indicated that landownership by blacks tend to be highly correlated with characteristics which are generally regarded as worthy of encouragement within the black community. "Land owning blacks have proved to be more likely to register and to vote, and more likely to run for public office than non landowners."[4] In effect, according to Salamon[5] landownership gives blacks a measure of independence, sense of security, dignity, and power which is of crucial importance to the elevation of the social and economic status of the black community.

Characteristics of the Black Farm

Beale[6] disclosed that black farms have been small and this was due in part to their lack of capital. In 1935, the average size of a black operated farm in the South was 44 acres; white farms averaged 131 acres. In 1959, the average white farm nearly doubled, rising to 249 acres. The average size of black farms in 1959 was 52 acres, an increase of just eight acres since 1935.

Further studies by Beale indicated that since 1910, the amount of land owned by black farmers has steadily gone downward with the exception of the period from 1940 to 1950. "During that one decade under the prosperous conditions of the war and immediate post war period, there was a growth in both the number of Negroes and farmers who owned land." [7]

"Tennessee is a parallelogram approximately 100 miles wide and 450 miles long."[8] It is divided into three sections, East, Middle, and West Tennessee. According to Graham[9] the fertile black soil in West Tennessee is the most prosperous for farmland. Almost 60 percent of the State's blacks live in West Tennessee[10] with 70 percent of the population in Fayette County being black.

Migration and the Decline of Landownership

Time Magazine[11] cites black migration to the North as one of the major factors that has contributed significantly to the precipitous decline in black landownership. Moreover, it is postulated that more recently thousands of blacks have sold acres of their land to make way for new industries, tourist facilities, and suburban development.

A report from the National Advisory Commission on Civil Disorder[12] revealed that in 1910, 91 percent of the nation's 9.8 million blacks lived in the South. The report also stated that "27 percent of American Negroes lived in cities, 92,500 persons or more, as compared to 48 percent of the nation's white population." According to the report, "by 1966, the Negro population had increased to 21.5 million and two significant geographic shifts had taken place. The proportion of Negroes living in the South had dropped to 55 percent and about 69 percent of all Negroes lived in metropolitan areas."[13]

Black migration began after the Civil War, and accelerated during World War I when jobs were created in the North. After the war, the depression slowed the mirgration, however, it boomed again after World War II. Poverty of most black farmers worked both to push blacks out of farming and to make the attractions of city life irresistible.

A study cited by Bennett[14] stated that over three million southern blacks migrated to the big urban centers of the North between 1940 and 1960. Also according to Bennett, almost everyone assumed that the northward flow slowed down during the years of hope spawned by protests and changes of the sixties. But recent census figures show that 1.4 million blacks left the South between 1960 and 1970.

Further studies in Newsweek[15] indicated that within recent years a new phenomenon seems to be developing. There is evidence that a trend of "reverse black migration" is taking place. Because of the deterioration of the quality of city life coupled with high crime rates, over-crowdedness, pollution, and unemployment, thousands of black professionals as well as the unskilled are returning South. For many it is a return home, for others who have never lived in the South, it is a move to a more comfortable environment in search for better economic conditions. Between 1971 and 1973, 247,000 blacks moved to the South while only 166,000 moved out.[16]

The Decline of Landownership

Two major reports have been released dealing with the decline in black owned rural land. In 1973, Robert Browne of the Black Economic Research Center in New York released a study entitled Only Six Million Acres: A Decline of Black Owned Land In Rural South. Another study was completed by Lester Salamon in 1974 entitled, Black Owned Land: Profile of Disappearing Equity Base. In addition, an Emergency Land Fund Program, under the auspices of the Black Economic Research Center, was created for the specific purpose of addressing this problem of declining black ownership of land and of providing opportunities for people to remain on land.

The issues addressed by Browne and Salamon[17] clearly implies that there were more than 12 million acres of land in the South owned in full or in part by blacks in 1950 and had declined to less than six million by 1969. For the same period, the number of black full and part owners declined from 193,000 to less than 67,000. Salamon forecasted that there will come a time when there will be no land owning blacks in the South. However, Beale[18] suggested that the black rural population will not drop below 4,500,000; he also suggested that there might be an increase after about 1970-1975.

Brown[19] listed seven legal reasons for the rapid decline in black landownership.

1. Tax sales (the taking of tax delinquent property by the state and auctioning it off to the highest bidder).
2. Partition sales (the number of heirs and the size of property is such that it is physically impossible or impractical to actually divide. Therefore, property is sold to the highest bidder and proceeds are divided among heirs in the proportion of their interest in the land).
3. Mortgage foreclosures (the loss of mortgaged property due to a delinquent debt).
4. Failure to write wills (results in devolution of property by intestacy. Therefore, one's defense of right to property is weakened considerably).
5. Landownership limitations placed on welfare recipients (generally, in order to receive welfare assistance, one must not have sufficient income and resources to provide reasonable subsistence

compatible with decency and health and assessed value of property must not exceed a certain amount).

6. Eminent domain (the taking of private property for public use).

7. Voluntary sale (often black landowners do not receive fair compensation for the sale of their property due to their lack of sophistication in real estate transactions. Also, due to the lack of financial resources and/or technical skills to transform land into a viable investment, landownership is often perceived to be a financial liability rather than an asset to poverty stricken landownership because of the drain of his/her financial resources to pay mortgage and property taxes without any compensating benefits. Therefore, land might be abandoned and left idle or sold for a nominal fee).

Carter G. Woodson[20] has stated that no money is loaned to rural blacks unless they are landowners and their land has been appraised by the agents of the farm loan bank as having considerable value.

Further studies on land use and control by Andrew[21] indicated that local tax assessors tend to value land not at its present use value but at its potential market value, so therefore, blacks that own good land do pay very high taxes.

The reasons for the decline of black landowners are very complex and multitudinous. This condition, therefore, motivated the researchers to investigate several unanswered questions germaine to the issue of "Black Rural Land Decline."

Analysis of Data

The two primary statistical techniques used to analyze the data in this study were the one-way analysis of variance and percentage.

A total of 147 subjects participated in the study. They were administered a 30 question questionnaire by trained interviewers. Subjects were also required to provide interviewers with demographic related information. The 30 questions were divided into three sections, with 10 questions to each section that addressed three different topics, i.e., Section I - Attitudes Toward Land; Section II - Perception of Institutional Practices Associated with the Transfer of Rural Land; Section III - Perception of Status and Trends of Rural Landownership.

The questions in the questionnaire are referred to as "variables" throughout this section. The questionnaire utilized in the study follows:

Section I

Attitudes Toward Land

Variables

1. Renting land is personally self-fulfilling as owning land.
2. Preserving the natural beauty of land is more important than economic benefits.

3. Landownership is not important to my self image.
4. It is alright to mortgage your land if you pay your bill on time.
5. Ownership of land is becoming more important to individuals in our mobile society.
6. Ownership of land is important to me because it can be passed on to my children.
7. Owning land is important for a personal sense of security.
8. Landownership contributes more to one's feeling of self worth than owning other material goods.
9. One of the best ways of achieving personal status is through landownership.
10. Decisions about who to sell land to should be based upon race.

Section II

Perception of Institutional Practice Associated With the Transfer of Rural Land

Variables

1. Many blacks have lost their land by illegal means.
2. Most real estate officials make sure that blacks clearly understand legal papers in land transactions prior to signing them.
3. The refusal of mortgage companies to make loans to blacks has contributed significantly to the shortage of black owned land.
4. Persons in official capacities often work together to gain possession of black owned rural land.
5. When a landowner dies, real estate officials often make sure that the acreage is evenly divided among relatives.

6. Often individuals mortgage their property to buy food and other necessities, but many eventually lose their property.

7. The present system adequately notifies landowners of the time to pay property taxes.

8. Much land is lost because of the failure of landowners to write wills.

9. Often blacks are forced to sell their land, especially when it is valuable.

10. In order to receive welfare assistance, one has to sell his/her land.

Section III

Perception of Status and Trends of Rural Landownership

Variables

1. A sizeable number of individuals lost their property because they failed to meet their mortgage obligations.

2. An increasing number of young people are returning South from northern cities to buy rural land.

3. Most blacks do not have adequate knowledge about the procedures involved in buying and selling land.

4. Due to the changing times, many individuals are holding on to their land.

5. Because of the inability to make land into a profitable investment, many blacks are forced to sell their plots.

6. It is more profitable to own land today than it was ten years ago.

7. Most farm land is not in use; it stands idle.

8. Today, more people are aware of the date their land taxes are due.

9. Most landowners do not trust real estate officials.

10. Many landowners are unsure of the validness of their deeds.

The acres of rural land owned by the 147 subjects in the target counties are rather evenly distributed--Fayette 4,588; Haywood 3,214; and Maury 3,555. The total price paid for the 11, 327 acres was $741,185 which averages $65.43 per acre. The subjects estimated that the acreage is presently worth $1,172,000. The estimated appreciation price of $430,815 is relatively low since 54 subjects purchased their property before 1966.

It has been reported that blacks often encounter difficulty in purchasing rural land from white owners. The findings in this study may well corroborate this assertion. Ninety-four or 64 percent of the 147 subjects indicated that the previous owners of their land were black while only 37 indicated that the previous owners were white, leaving 16 uncertainties.

While 90 percent of the subjects believed that there is a trend toward the purchase of rural land by younger blacks, 93 or 63 percent of the 147 participants in this study were 55 years of age and above.

Table 1 indicates that at the .05 level there was a significant difference in the way different age groups perceived the following variables: "Most blacks do not have adequate knowledge about the procedures involved in buying and selling land." The subjects were divided into four age groups: 0-22; 23-38; 39-54; 55 and above.

Table 1

An Analysis of Variance on Variable No. 3:

Most blacks do not have adequate knowledge about the procedures involved in buying and selling land.

SOURCE	D.F.	SUM-OF-SQUARES	MEAN SQUARES	F-RATIO	F-PROB
Between Groups	3	7.578369	2.52612	2.86786	.0388
Within Groups	142	125.0793	.880840		
TOTAL	145	132.6577			

$\overline{X}$ = 2.4 23 - 28
$\overline{X}$ = 2.3 39 - 54
$\overline{X}$ = 1.9 55 & A

Landowners 55 years of age and above indicated more strongly that owning land was more self-fulfilling than renting. Subjects between the age of 23-38 were more adamant in their contention that owning land was important to one's self-image. On the other hand, the 55 and above age group were more confident with regard to their knowledge about the procedures involved in buying and selling land.

In middle-class America the average number of children is approximately two per family. In this study 21 percent or 32 of the families had at least nine children.

Many reasons have been cited for the decline in black landownership. Ninety-six percent of the subjects felt that land loss was primarily due to illegal means. Eighty-eight percent attributed black land loss to two major reasons, i.e., the refusal of mortgage companies to make loans to blacks and persons in official capacities working together to gain possession of black owned land.

Widespread illiteracy has historically had an adverse effect on the quality of life of rural citizens in America. Tables 2, 3 and 4 may well lead the reader to infer that illiteracy is prevalent in rural areas. Ninety percent of the subjects indicated that land loss is due to failure of blacks to write wills. Ninety-one percent believed blacks were inadequately prepared with regard to real estate transactions. Eighty-two percent felt that uncertainty does exist among black landowners with respect to the validness of their land deeds.

Table 2

Percentages on variable No. 8:

Much land is lost because of the failure of land owners to write wills.

CATEGORY	NUMBER	PERCENT
Agree	114	90.3
Disagree	11	8.7
	TOTAL 125	100.0

Table 3

Percentages on variable No. 3:

Most blacks do not have adequate knowledge about the procedures involved in buying and selling land.

CATEGORY	NUMBER	PERCENT
Agree	126	91.4
Disagree	12	8.6
	TOTAL 138	100.0

Table 4

Percentages on variable No. 10:

Many land owners are unsure of the validness of their deeds.

CATEGORY	NUMBER	PERCENT
Agree	105	82.2
Disagree	23	17.8
TOTAL	128	100.0

A large percentages of the subjects reacted favorably to variables that addressed the tax notification date. Ninety-six percent of the subjects felt that they were adequately notified of the date to pay property taxes.

While 72 percent of the male subjects agreed that "It is alright to mortgage your land if you pay your bill on time," only 57 percent of the female subjects agreed to the concept.

It may be safe to conclude that in the families where male figures have been more dominant and this "permissive" attitude more prevalent, the loss of rural land has been greatest. It is a well known fact that those families who mortgage their rural acreage are rarely able to regain full possession.

Findings and Recommendations

Findings

1. Blacks generally agree that ownership of rural land is desirable.

2. Black landowners are in dire need of more knowledge regarding real estate legal matters, i.e., writing wills, mortgage foreclosures, heir property, property appraisal, partition sales, tax sales, eminent domain, etc.

3. A large percent of black owned rural land was lost by illegal means, primarily initiated by lawyers, land speculators, and county officials.

4. Females are more likely to show a greater concern for rural land retention than males.

5. A vast majority of black owned rural land is owned by individuals 55 years of age and above.

6. The failure of mortgage companies to make loans to blacks has contributed significantly to the shortage of black owned land.

7. Blacks are more likely to purchase rural land from blacks than from whites.

8. Illiteracy among rural blacks has contributed to land loss, primarily because of their inability to effectively negotiate during real estate transactions.

9. Blacks are notified in ample time to pay property taxes.

10. Younger blacks are not aggressively purchasing rural land.

11. "Official" courthouse land records are not always accurate. Discrepancies as to the total acreage owned are common between the offices of the Registrar and the County Tax Assessor. In essence, many blacks do not know how much land they own.

12. Land owners often fail to keep their records current with those kept in the courthouse. As a result, title to land is often found in the name of persons that are deceased.

13. Rural land is still being sold at an alarming rate and often for a very nominal amount. Black rural landowners do not identify with the local "Courthouse Establishment."

14. Blacks often regard persons in official capacities in the courthouse with fear, distrust and suspicion.

15. Many blacks are unsure of the validness of their deeds.

16. Many blacks lack the financial resources and technical skills needed to transform their land into a profitable investment. Many black landowners are too old and too poor to make their land profitable, and therefore, high taxes are causing a constant strain on their income.

17. The millions of blacks who migrated from the South contributed significantly to the decline in black owned rural land.

18. The Census of Agriculture is an unacceptable research data resource because of the procedure used to record information on black farm owners and farm operators and because the data are outdated.

Recommendations

As a result of the findings of this study and due to the paucity of research relative to the issue of "Black Rural Land Decline," the followings recommendations are made:

1. Extensive research projects should be conducted which cover various aspects of the issue of "Black Rural Land Decline," but are less dependent upon the Census of Agriculture resource data.

2. Institutions of higher education should become more involved in this crucial problem through the initiation of research projects, practica, and seminars, that will directly improve the knowledge of black landowners in real estate transactions.

3. Funding agencies should commit more financial resources to support projects dealing with this important issue.

4. A national network should be established to give more attention to the concerns surrounding the issue of "Black Rural Land Decline."

5. The local courthouse staffs should make a greater effort to locate owners of "tax delinquent property." Advertisement in local as well as major newspapers would allow many heir property owners to rescue tax delinquent land.

FOOTNOTES

[1] Anthony Griggs, "How Blacks Lost 9,000,000 Acres of Land," Ebony, October, 1974.

[2] Robert S. Browne, Only Six Million Acres: A Decline of Black Owned Land In Rural South (New York: The Black Economic Research Center, 1973), p. 19.

[3] Ibid. Also see Calvin L. Beale, "The Negro in American Agriculture," reprinted from the American Negro Reference Book, edited by John P. Davis (Englewood Cliffs: Prentice Hall, 1966), p. 170.

[4] Browne, op. cit., pp. 24-25.

[5] Lester M. Salamon, "Family Assistance - The Stakes in the Rural South," The New Republic, February 20, 1971, pp. 17-18.

[6] Calvin L. Beale, "Migration Patterns of Minorities in the U. S.," American Journal of Agriculture Economics, December, 1974, p. 179.

[7] Ibid., p. 196.

[8] Hugh Davis Graham, Crisis In Print (Nashville: Vanderbilt University, 1967), p. 12.

[9] Ibid., p. 20.

[10] Ibid., p. 22.

[11] Time Magazine, December 7, 1972.

[12] National Advisory Commission on Civil Disorder, 1968, p. 239.

[13] Ibid.

[14] Lerone Bennett, Jr., "Old Illusions and the New South," Ebony, August, 1971, p. 36.

[15] Newsweek, March 25, 1974, p. 38.

[16] Ibid.

[17] Browne, op. cit., and Lester M. Salamon, Black Owned Land: Profile of a Disappearing Equity Base (Washington, D. C.: Office of Minority Business Enterprise, United States Department of Commerce, 1974).

[18] Calvin L. Beal, "The Negro in American Agriculture."

[19] Browne, op. cit.

[20] Carter G. Woodson, The Rural Negro (Washington, D. C.: The Association for the Study of Negro Life and History, 1930), p. 38.

Chapter VII

INSTITUTIONAL PROCEDURES FOR RESOLVING TAX DELINQUENCY IN THE SOUTH

by

James A. Lewis*

Introduction

Recent studies by Brown and Salamon have documented the steady decline in farm land owned by minorities in the South.[1] Most land titles transferred by minorities are the result of voluntary transactions. However, cases involving other types of transfers have been cited.[2] These other transfers include interstate settlements, mortgage foreclosures, partition sales, and tax sales.

This chapter interprets state statutes in the South dealing with tax delinquent real property, including the institutional setting, process, mechanism, and administration of tax sales. This chapter is not, however, a legal treatise. Although the interpretation of state statutes have been reviewed by many state commissioners, the contents of this chapter are not substitutes for legal advise.[3] Legal advise should be sought from an attorney.

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There are no statistics available which indicate the frequency of tax sales. Delinquent taxes probably constitute less than four percent of a locality's total levy.[4] Some delinquencies are contested assessments which go through an abatement proceeding. The other cases which eventually result in tax sales are probably few.[5]

Despite their infrequency, however, tax sales are of interest because they are a process by which ownership can be transferred. As an initial point of inquiry the following questions might be raised. Do the rules, statutes, or other legal determinants to rights and duties in property vary from one state to another? Are there specific rules which can be identified and analyzed?

This chapter gives first some basic assumptions, describes procedures followed in tax sales, and classify tax sale systems into two types. Short summaries of basic procedures in each of the southern states are also given. Finally, implications for future research are included.

Basic Assumptions

For illustrative reason, the assumption is made that an owner has not paid his property taxes, that an abatement proceeding is not undertaken, and that taxes are not ever paid by the delinquent owner or his representative. Thus, from the onset of delinquency, a trace can be made of the sequence of events, the charges, interests, costs, possession, and time involved throughout the tax sale procedure until ownership of the land is transferred. Assumed also is that land is transferred to private parties and not to the state or local government. Other, special, provisions exist for the management and disposition of publicly acquired land. In every state the delinquent owner may pay taxes, charges, interest, and costs which have accrued at any date prior to the final transfer of ownership and clear title to the land.

General Procedures

Technically taxes are delinquent if they are not paid on their due date. However, most states do not immediately commence tax sale proceedings the day after taxes are due. Generally there is a period of time ranging from three to 10 months in which back taxes plus a penalty or interest charge may be paid. After this period expires, the local government is required to take action.

Most states sell a tax lien or certificate to some private party. This is done to minimize the loss of local revenue. Costs to the government are added to the amount due, interest and charges. No doubt, some property owners may use this time period between due date and initiation of the tax sale as a public loan. The amount of charges, interest, penalties, and costs which are assessed in each state will determine if the property owner's decision was economic. Generally, deferring payments and absorbing the additional charges is not a wise decision; however, the decision to defer payment also depends upon the owner's opportunity cost.

When taxes are not paid within the specified time period, the official process for tax sale begins. The owner is generally provided either a personal or a public notice. Some states do not require a personal visit but all have at least one public notice. Through notice the owner is informed of his delinquency, the amount of taxes due, interest, penalties, and costs due, and he is informed that failure to pay by a certain date will result in a tax sale. The tax sale is an effort on the part of government to collect its revenue by selling an interest or lien to some other private party. This private party or purchaser of the tax certificate pays the delinquent's debt and he then holds a lien on the property. The amount of time from the tax certificate sale until actual title to land is transferred from the delinquent owner is the redemption period.

Incentives used to attract purchasers include favorable rates of return on investment, possession of property, or first options to ownership of property in the event that the delinquent owner fails to redeem. In their effort to maintain revenues to the locality and maintain property in private ownership, however, a concerted effort is made to protect and provide the delinquent owner opportunity to retain ownership of property. Most times the property owner redeems his property, but in a few cases title is eventually transferred to another party. The specific procedure depends upon the state in which the property is located. A summary of general procedures used by the southern states is contained in Table 1.

Tax Sale Systems

There are two main categories of tax sale procedures.[6] These are the "two-sale" system and the "one-sale" system. In the two-sale system a tax certificate on back taxes, interest, penalty, and costs is first sold. Then after a redemption period has expired a second sale is held. At the second sale title to the land is actually sold, normally this is an auction to the highest bidder. The one-sale system has four basic subclassifications: (1) the bid-down sale, (2) public auction sale, (3) tax-sale-no-bid-down, and (4) automatic sale to the state.

The bid-down sale is one in which the tax certificate goes to the party who agrees to pay taxes, interest and costs which have accrued and will accept the lowest rate of interest on investment. Title to the property is granted to the purchaser after the redemption period expires. Under the public auction sale, a tax certificate is granted to the highest bidder; he receives the first option of obtaining title to the property after expiration of the redemption period. Tax-sale-no-bid-down is one in which the purchaser bids on the smallest tract for which he will pay the total taxes, interest, and costs. First option for title to the land goes to the purchaser after the redemption period has expired. Automatic sales to the state is the system in which the state assumes control over the property and usually passes ownership back to private parties in accordance with state statutes.

Florida, Kentucky, and North Carolina have two-sale systems for resolving property tax delinquency. Alabama, Arkansas, Georgia, Louisiana, Mississippi, Oklahoma, South Carolina, Tennessee, Texas and Virginia have one-sale systems.

Two-Sale States

Generally two-sale states first sell a tax certificate to a private party. This amounts to an interest bearing investment for the purchaser of the tax certificate. His investment is the amount of taxes, charges and costs which are due to the local government. At the end of the redemption period a second sale is held. At the second sale title to the land is auctioned off to the highest bidder--who may or may not be the tax certificate purchaser. The lowest acceptable bid is the amount of the tax certificate plus interest and costs.

Florida

Approximately five months after taxes are due in November the procedure for tax sale is underway in Florida. A charge of 18 percent annual interest is automatically assessed on April 1. Four public notices are given prior to the tax sale which is before the first of June. Public notice includes place, date of sale, description of the property, and the amount of taxes, interest, and costs due. At the tax sale purchasers pay only the amount of taxes, interest, and costs accured. Bidding is entered on the lowest rate of interest which the purchaser will accept with an upper bound at 18 percent annually. Actually they begin at 18 percent and bid down. The prospective purchaser who bids the lowest rate of interest is awarded the tax certificate. Thus the traditional auction which we might envision as going to the highest bidder is not the Florida system.

After a redemption period of approximately two years a second sale is held. The delinquent owner retains possession of property during the redemption period. At the second sale, title to the property is transferred to the highest cash bidder. The minimum acceptable bid is the amount

Table 1

General Process For Resolving Tax Delinquency in the South*

STATE	Time between due date and delinquency date	Time between delinquency and date of sale	Charge assessed on amount delinquent (+ costs)	Number of Personal notions given	Type of tax sale	Amount of delinquent's land sold
TWO-SALE						
Florida	5 months	1 month estimate	18% annually	None	auction to person bidding lowest rate of interest	all
Kentucky	4 months	6 months estimate	6% of amount due	1	"first-come, first-served"	all
North Carolina	4 months	5 months estimate	2% of amount due plus 3/4% monthly	None	auction to highest bidder	all
ONE-SALE						
Alabama	3 months	4 months estimate	6% annually	1	public auction to highest bidder	portion or all

Table 1

(Continued)

STATE	Time between due date and delinquency date	Time between delinquency and date of sale	Charge assessed on amount delinquent (+ costs)	Number of Personal notions given	Type of tax sale	Amount of delinquent's land sold
Mississippi	same period	6 months estimate	.5% monthly	None	public auction to highest bidder	portion or all
Georgia	same period	3 months estimate	7% annually	1	public auction to highest bidder	all
South Carolina	3 months	9 months	up to 25% of amount due	1	public auction to highest bidder	all
Tennessee	3 months	8 months estimate	10% of amount due	1	public auction to highest bidder	all
Texas	4 months	8 months estimate	8% of amount due + 6% annually	1	public auction to highest bidder	all

Table 1

(Continued)

STATE	Time between due date and delinquency date	Time between delinquency and date of sale	Charge assessed on amount delinquent (+ costs)	Number of Personal notions given	Type of tax sale	Amount of delinquent's land sold
Arkansas	8 months	6 weeks estimate	10% of amount due	None	public auction to person paying amount due for the smallest portion of land	portion or all
Louisiana	same period	5 months estimate	10% annually	1	public auction to person paying amount due for the smallest portion of land	portion or all
Oklahoma	3 months	10 months	1% monthly	1	"drawing" if more than one bidder	all
Virginia	9 months	3 years	5% of amount due on first six months, 8% annually thereafter	2	public auction to highest bidder	portion or all

Table 1

(Continued)

STATE	Who receives excess proceeds of sale	Interest earned by purchase of tax sale	Who has possession of land during redemption period	Length of redemption period	How is title vested if land is not redeemed
TWO-SALE					
Florida	no excess	18% or less anually	owner	2 years	second sale land sold to highest bidder
Kentucky	no excess	12% annually	owner	3 years	second sale land sold to highest bidder
North Carolina	owner	9% annually	owner	6 months	second sale land sold to highest bidder
ONE-SALE					
Alabama	owner	6% annually	purchaser	3 years	automatically to purchaser
Mississippi	owner	5% of amount due + 1% monthly	owner	2 years	automatically to purchaser
Georgia	owner	10% annually	owner	1 year	automatically to purchaser

Table 1
(Continued)

STATE	Who receives excess proceeds of sale	Interest earned by purchase of tax sale	Who has possession of land during redemotion period	Length of redemption period	How is title vested if land is not redeemed
South Carolina	owner	8% or 12% annually depending on when redeemed	owner	1.5 years	automatically to purchaser
Tennessee	State	6% annually	purchaser	2 years	automatically to purchaser
Texas	owner	25% or 50% of amount due depending upon when redeemed	owner	2 years	automatically to purchaser
Arkansas	no excess	10% annually	owner	2 years	automatically to purchaser
Louisiana	no excess	5% of purchase price + 1% monthly	purchaser	3 years	automatically to purchaser

Table 1

(Continued)

STATE	Who receives excess proceeds of sale	Interest earned by purchase of tax sale	Who has possession of land during redemption period	Length of redemption period	How is title vested if land is not redeemed
Oklahoma	no excess	8% annually	owner	2 years	automatically to purchaser
Virginia	owner	none	lessee	3 years	automatically to highest bidder at the sale

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* Tax delinquency may be resolved at any time prior to expiration of the redemption period by paying all accrued taxes, interest, charges and costs. This table has been developed to follow the process through to the transfer of title from the delinquent taxpayer to another private party. If there are no private parties wo will invest their funds, then the land goes to the state. Provisions for management and disposal of properties reverted to the state have been omitted from this analysis. States are presented in an order of similar types of tax sale systems.

due on the tax certificate, costs, and 1.5 percent interest for one month. If no one bids then the purchaser of the tax certificate is assumed to be the highest bidder and is awarded title to the property.

Kentucky

In Kentucky taxes are due on September 15 and if they are not paid by January 1, a two percent charge is added to the amount due. If they remain unpaid by February 1, the charge becomes six percent of the total amount. At least one personal notice by mail is sent to the delinquent owner in addition to three public notices. Interest on the tax sale certificate is fixed at 12 percent annually and only the amount of taxes, interest, and costs due are accepted in the bidding. The first purchaser to offer to pay cash is awarded the certificate. If there is more than one person, then the one which had the most recent claim against the delinquent or the property is awarded the certificate.

The delinquent owner retains possession of the property throughout the two year redemption period. At the second sale title to the property is auctioned to the highest bidder with a minimum acceptable bid amounting to accrued taxes, interest, and costs. If there are no competing bidders at the second sale, then title is automatically vested in the tax certificate purchaser.

North Carolina

In North Carolina taxes are due September 1 and are considered delinquent if they are not paid by the following January 1. If paid during January, a two percent interest charge is assessed. After January 31, 3/4 percent monthly interest is added to the amount due. Four public notices are given prior to the tax certificate sale. The last notice includes date, time, place, purpose of sale, name of landowner, description of the land, and the amount due.

The certificate is granted to the highest bidder at the sale with a minimum acceptable bid of taxes, interest and costs accrued. All of the parcel upon which taxes are delinquent is included in the tax certificate. Interest on investment for the purchaser is set at nine percent annually. After a six month redemption period the second sale is held, at which time title to the property is auctioned to the highest bidder. The minimum acceptable bid is taxes, interest, and costs which have accrued. If no one bids at this second sale, title is transferred to the purchaser of the tax certificate.

One-Sale States

Most of the one-sale states have a public auction to the highest bidder. There are, however, different variations of this system which make each state unique in some fashion. The delinquent taxpayer is usually informed prior to the final date of expiration of the redemption period.

Alabama and Mississippi

Alabama and Mississippi hold a public auction to the highest bidder. The smallest portion of land which will bring the amount of taxes, interest, and costs due is auctioned. The other one-sale states hold a public auction to the highest bidder and automatically sell a lien on all of the delinquent parcel.

Taxes are due on October 1 and are delinquent if not paid by January 1 in Alabama. A six percent interest charge is assessed on delinquent taxes. The delinquent owner receives one personal notice by visit or mail before the tax sale is held. At the tax sale potential purchasers are attracted by a six percent interest on investment and possession of the property during the three year redemption period. The delinquent owner pays for any improvements made on the property during the redemption period. If property is not redeemed, then the purchaser at the tax sale is automatically awarded title to the property.

In Mississippi taxes are due in three installments. Half is due on February 1, one quarter on May 1, and the final quarter is due on August 1. Failure to make any of the installments initiates the tax sale process. Charges on the delinquent balance are assessed at five percent per month. Delinquent owners receive a public notice which includes date, time, place, name of the owner, description of the property, and the amount due. At the sale as much of the land is auctioned to the highest bidder as is needed to assure that the taxes, interest and cost accrued are raised. Forty acres or a smaller subdivision is first offered. Purchasers receive five percent interest plus one percent per month over the two year redemption period. The delinquent owner retains possession of the property and does not pay for any improvements made to the property by purchaser.

Georgia, South Carolina, Tennessee and Texas

The common attribute of Georgia, South Carolina, Tennessee and Texas is that a public auction is held and all of the parcel is included in the tax certificate.

In Georgia, taxes are due January 1, and are delinquent if not paid by April 1. After April 1, a charge of seven percent is added to the bill. The owner receives one personal notice by mail or visit prior to the sale. Purchasers are attracted to the sale by a 10 percent interest on investment. Any excess over the amount of taxes, interest, and costs are remitted to the delinquent owner. After a 12 month redemption period the purchaser can obtain title to the property.

Tax assessments are sent to owners in October and are due on January 1 in South Carolina. If the taxes are not paid by January 15 a 15 percent charge is assessed; after March 15 an additional five percent is assessed, and after September 1 another five percent is added. Tax sales are held in October and delinquent property is auctioned to the highest bidder. There is an 18 month redemption period in which the delinquent owner retains possession of property. The purchaser receives eight percent interest on investment if the land is redeemed in 12 months. If redemption is made in the last six months, then the interest is 12 percent annually. Failure to redeem results in title to the land being transferred to the tax sale purchaser.

In Tennessee, taxes are due in October and are delinquent if not paid by the following January. Counties with a population of 600,000 or more assess a charge of one-half percent per month on the amount due after January 15. Counties with less than 600,000 population assess the one-half percent charge after March 1. When the county files suit for tax sale, usually after April 1, a 10 percent charge is attached to the amount due. Delinquent owners are sent a personal notice by mail informing them of the impending tax sale. At the tax sale, a public auction to the highest bidder is held. The purchaser receives possession of the property over the two year redemption period and six percent return on investment. The delinquent owner pays for any improvements made on the property during the redemption period. If the taxes, interest and costs due on the land are not paid by the end of the redemption period, then the purchaser at the tax sale becomes the owner.

Texas allows the owner to pay taxes between October 1 and January 31, after which time they are considered delinquent. However, if half of the taxes are paid by November 3, then the remaining balance is not delinquent until the next July 1. Delinquent taxes bear an interest charge of six percent annually from the date of delinquency. An additional penalty is assessed depending upon when payment is made. If taxes are paid in February, the rate is one percent; if in March, two percent; if in April, three percent; if in May, four percent; if in June, five percent; and if after July, an eight percent charge is assessed. The delinquent owner is provided one personal notice of the tax sale by mail. Around the first of September a public auction is held selling the tax certificate to the highest bidder. Any excess over the amount of taxes, interest and costs due go to the delinquent owner, who also retains possession of the property over the two year redemption period. If redemption is made in the first year, the purchaser receives 25 percent interest on investment and if during the second year, a 50 percent rate is received. Failure to redeem results in purchaser obtaining title to the property.

Arkansas and Louisiana

In Arkansas taxes are due between the third Monday in February and October 10, after which time they are delinquent and assessed a 10 percent additional charge. Tax sales are held in late November and delinquent owners are given public notice. At the sale only bids for the taxes, interest, and costs due are accepted. Purchasers bid on the smallest tract of land for which they will pay the amount due with a set 10 percent annual rate of return on investment. After a two year redemption period, in which delinquent owner retains possession of the property, title is passed to the tax sale purchaser.

Louisiana has a system very similar to that of neighboring Arkansas. A 10 percent charge is assessed on unpaid taxes after December 31. Delinquent owners receive one personal notice by mail or visit prior to the tax sale which is sometime before May 1. Purchasers at the tax sale pay only the amount due. Interest earned on investment is a flat five percent plus one percent per month over the three year redemption period. Purchaser also obtains possession of property and is compensated for any improvements which are made if the delinquent owner redeems his property. If redemption is not made, then the purchaser obtains title to the property.

Oklahoma and Virginia

The due date for taxes in Oklahoma is November 1 and if they are not paid by January 1, they become delinquent. An interest charge of one percent per month is assessed on delinquent taxes. If half of the taxes are paid prior to January 1, the balance does not become delinquent until April 1. If taxes are still delinquent the following September, then the tax sale procedure begins. The delinquent owner receives one personal notice by mail. Tax sales are held the first Monday in October with taxes, interest, and costs due being the only acceptable bid. If more than one prospective purchaser bids to pay the amount due, then a fair and impartial drawing is held. An eight percent annual interest on investment is awarded the purchaser. The delinquent owner retains possession of the property over the two year redemption period. At the expiration of the redemption period purchaser is awarded title to the property.

Real property taxes are due on December 5 in Virginia, after which time they are considered delinquent and are assessed a five percent interest charge. If taxes are not paid by the following June 30, an additional eight percent is charged. In Virginia only one sale is held but it does not occur until after three years from the time taxes are delinquent. When the sales does occur title to the land is auctioned to the highest bidder. Only the smallest portion of a parcel which will bring the taxes, interest and costs due is sold. During the three year redemption period, the local treasurer may lease the delinquent property to another private party. The duration of the lease is one year and the rent must equal taxes, interest, and costs. Such leases are renewable and may be arranged either with private parties or issed at public auction, whichever is mose expedient for the local government.

Implications for Research

Taxation of real property is principally a function of local government. Property taxation constitutes its major source of revenue. Failure to pay property taxes is a serious matter of concern to both owner and local government. Somehow, either through abatement proceedings, payment, or through a tax sale the delinquency must be resolved. If it is not resolved, then those who do pay taxes are likely to be paying higher taxes if revenues are to be maintained.

Although property taxes are assessed, collected, and spent mostly at the local level, the rules, regulations, and procedures covering the treatment of tax delinquency have been established at the state level. Every state in the South has its own set of rules and regulations, in the form of state statutes, which set forth the process by which tax assessments are to be made and collected. Private owners are obligated to pay property taxes. If these taxes are not paid, the law prescribes a process which government officials must follow to collect the funds. Eventually this process can culminate in the transfer of title to ownership through a tax sale.

Failing to pay property taxes does not necessarily mean that the owner will unequivocally lose his land. Every state makes a conscientious effort to preserve and protect the rights of delinquent owners. Due process of law is essential. Numerous warnings and opportunities for redemption are given. However, in order to insure that property is maintained as a local revenue source it is sometimes necessary to transfer ownership.

The systems which exist in each of the states start to function at the time when delinquency occurs. Given a tax delinquent property, a process exists to deal with the problem from the local government perspective. Their objective is to maintain the revenue producing capabilities of property for the local government and to maintain that property in private ownership.[7]

The processes which exist are designed to protect the rights of the delinquent owner, to provide a mechanism to collect needed revenues, and to attract investors to provide needed cash for the local government treasury.

Each state has a different institutional structure. The fact that different institutions exist is not particularly disturbing. It only means that we must be more astute and attentive about different processes, incentives, causes and economic effects. To attract purchasers some states offer attractive rates of return on investment, others offer possession of property, and others offer the opportunity of short term ownership acquisition. The speed, ease, and rate of return for purchasers of delinquent land weight against the protective features of redemption by delinquent taxpayers in determining the "market" for delinquent property.

The system for resolving property tax delinquency in each of the states constitute different ways of dealing with a similar problem. The rules, regulations, and procedures which have been outlined also define a pricing system. This system is representative of administered pricing, wherein demand and supply adjust to clear the market. Although it may not be very sophisticated nor popular to refer to a supply schedule of delinquent properties there are some factors in addition to low income which could explain the frequency of delinquency. Presumably the primary factor is insufficient income, although some owners may be simply deferring the cash outlay and absorbing the penalties. Low income can be temporary in some cases and chronic in others. Temporary income loss could result from natural disasters which cause crop failures, destruction of capital facilities, livestock losses, and unemployment. Chronic low income could be due to several socio-economic factors. Besides race these factors include age, education, occupation and location. Underemployment, unemployment, low wages, poor quality farm land, inefficient use of land, input cost increases, and interregional competition are additional factors which may be important.[8]

There is obviously a great need for American taxpayers to know more about how the tax institutions function. Therefore, the following questions are presented as possible subject areas for future research:

1. Are there specific socio-economic characteristics of delinquent owners which can be identified? Characteristics such as age, education, occupation, income, and race would be major factors.
2. Are there specific characteristics of owners who lose their land?
3. Once the process for tax sales have been initiated, is the delinquent caught in a spiralling sequence of events where loss of land is unavoidable?
4. If a change in ownership occurs is there a change in land use? What kind of change in use with what result? In states where a portion of the land is separated to satisfy the tax obligation is the land reduced to an uneconomic sized unit?

5. What are the effects of the institution on altering wealth and income distribution? Is there a transfer from poor to wealthy? Is the change desirable from the standpoint of society if measured in terms of land use, productivity, income, employment, output, resource allocation, and improved standards of living?

6. Do more complex, roundabout systems (eg. those with many built-in "protective mechanisms") tend to favor those with greater legal and economic resources?

7. Who are the investors (purchasers) in tax delinquent properties? Are they predominately speculators, developers, or occasional investors who periodically subsidize their neighbors in times of economic stress?

8. What are the principal incentives for purchases? High rates of return, possession, short term acquisition, low risk investment and low cost acquisitions are incentives used in different combinations. How sensitive (response elasticity) are investors to changes or differences in incentive systems?

9. Are there community factors which might indicate a high probability of tax delinquency? If so, what kind of policy actions might be taken to lower the probability of delinquency?

10. What portion of tax delinquent properties end up in tax sales?

11. Is tax delinquency a repetitive phenomena for either the parcel of the owner?

12. Are the different state systems effective in resolving local needs for revenue?

13. Is there a preferred cost effective system?

14. Do administrative and legal costs vary from state to state?

15. And finally, are the information systems meeting the needs of assessor, recorder, commissioner of revenue, and property owner?

These questions illustrate needs and possibilities for future research. Such research should focus on the three major participants in this process--government, delinquent owner, and investor--and three economic fundamentals of the system--price determination, productivity, and allocation. The results of research along these lines should surface better and more comprehensive answers.

FOOTNOTES

[1] Robert S. Browne, *Only Six Million Acres: The Decline of Black Owned Land in the Rural South* (New York: Black Economic Research Center, 1973); and Lester M. Salamon, *Black-Owned Land: Profile of a Disappearing Equity Base* (Washington, D. C.: Office of Minority Business Enterprise, United States Department of Commerce, 1974).

[2] Ibid.

[3] Reviews have been received from: Virginia, Kentucky, North Carolina, Florida, Mississippi, Louisiana, Arkansas and Oklahoma.

[4] Two studies, which have been obtained, show that the average delinquency is just under four percent of the total billings. *Property Tax Delinquency in Minnesota*, Minnesota Department of Revenue, Research Report No. 123, March, 1976 and special study on "Local Property Tax Delinquency" conducted by Division of Research, Virginia State Department of Taxation, Richmond, Virginia, November, 1971.

[5] In the U. S. in 1976, the average number of transfers was 42.7 per 1,000 farms. Thirty-four point four per 1,000 farms were voluntary and estate settlements, 1.5 per 1,000 farms were loss of title by default of contract, sale to avoid mortgage foreclosure, surrender of title, or other transfers to avoid mortgage foreclosure. The remaining 6.8 transfers per 1,000 farms were mostly the result of inheritance and gifts; however, this category also includes tax sales, other miscellaneous and unclassified sales. *Farm Real Estate Market Developments*, U. S. Department of Agriculture, CD-81, July, 1976, Table 14, p. 23.

[6] Howard C. Emmerman, "Legislating Protection of the Delinquent Property Owner in an Era of Super-Marketable Tax Titles," *DePaul Law Review*, XIX, No. 2 (Winter, 1969).

[7] George V. Voinovich, "The CURE Proposal: Planning for Industrial Redevelopment," International Assessor, 42, No. 8 (August, 1976), 3. Voinovich also indicates that the administrative costs for processing a tax sale in the Cleveland, Ohio area is $500.00 per parcel. Only five percent of all parcels sold recouped the full cost. Also 60 percent of the parcels sold in tax sales in 1969 and 1972 were delinquent again in 1974.

A recent newspaper account for the Northern Virginia metropolitan Washington, D. C. area indicated that about a third of tax delinquent parcels were left over after development or was property which chould not be located. Since this amounts to over $2.37 million in Fairfax County, about $277,000 in Arlington County, and $877,000 in Alexandria, one might question the functioning of information systems. Although a portion of these dollars are delinquent personal property and the total rate of delinquency is 2.8 percent of the total levy the revenue loss is no small matter. If these revenues could be captured, cost effectively, there might be a noticeable difference in public services--education, for example.

[8] Community growth is another event which can bring additional tax liability for landowners. An increase in population implies greater demands for space and public services. These demands will eventually be reflected in total levies. Some owners may not be able to keep pace with the rate of growth in their total tax bill and experience increased difficulty in meeting their needs.